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MESSAGE

FROM THE

GOVERNOR OF NORTH CAROLINA

TO THE

GENERAL ASSEMBLY OF THE STATE,

At the commencement of the Session of 1840.

To the Honorable the General Assembly of North Carolina:

GENTLEMEN: The declarations of the people against the administrations of the Federal and most of the State Governments—the deep sensation and embittered feelings of the contending parties as to the cause, must necessarily greatly deepen the interest which usually attends the meeting, and increase the responsibility of your honorable body.

But, while we have, in the confident hope that it will restore the country to its former happy and prosperous condition, abundant cause to rejoice over this peaceful revolution; yet we should remember that our fellow-citizens of the administration party, with the exception, perhaps, of the officers and aspirants, although mistaken, as we believe, in their views, can have but one common interest with ourselves, and are rather entitled to our sympathy and conciliation than to our hatred and persecution.

Their fortunes have failed in their own hands, and under their own management; and it becomes us, as those on whom the responsibility has devolved, calmly to survey the position we occupy, and prepare ourselves with energy and dignity to meet the crisis.

As it is the part of wisdom to profit by experience, it is necessary and proper to refer to the causes of the revolution, and particularly

where connected with our peculiar interest, the better to enable us to avoid the evil and embrace the good.

The Bank of the United States, which grew out of the necessities of the country, at two periods of great distress, (and which would seem almost to give sacredness to its existence,) and which answered every purpose promised by its most sanguine friends, or anticipated by the public, was doomed to Executive hostility, because it would not yield political obedience. It was re-chartered by Congress, but vetoed by the President. The public money was then removed from its lawful place of deposit, in the Bank of the United States, to the local Banks, by the President, under the plea that it was unsafe. This ground, taken by the President, was disproved by a report from a committee of Congress.

The Senate of the United States became alarmed at these indications of violence and usurpation, and declared the removal of the deposits unconstitutional. The President appealed to the people, against both the Bank and the Senate—declaring the Bank dangerous to the liberties of the country—a monster of foreign materials; and that a better currency could be given by the local Banks, without the danger; and that the Senate had done him gross injustice. The appeal was sustained. Nothing was recollected but his splendid and successful military career. Several of the State Legislatures were filled by his partizans, who supported his opposition to the Bank, and instructed their Senators to expunge the resolution declaring his act unconstitutional for removing the deposits, or to resign their seats to more unscrupulous hands; and it was done. Some yielded to the servile act, in defacing the journals of the Senate; and others, through a cherished though mistaken abstraction, abandoned their posts; which has impaired, and, if continued, will destroy, the most stable and valuable part of our Constitution, and, in all probability, the government itself.

The House of Representatives could not but feel the influence of the will of the people concentrated in the Executive. His power was tremendous enough to intoxicate the brain of a less philosophical chief. The fate of the Bank was decided. The deposits were retained in the local Banks, and recommended to be loaned out. Banks increased rapidly, and discounted freely. The disbursements of the government increased some fifty per cent., or about twelve millions of dollars annually. Property and labour of all kinds rose in value. Public works were commenced, and some completed, of great magnitude; and general prosperity reigned, not only in this country, but in Europe. Up to 1834, under the operations of the “bill of

abominations," the payment of the public debt, mostly due to Europeans, filled that country with money seeking investments; a great deal of which was taken by our States, Banks, Rail Roads, Canals, and Manufacturing Companies, and returned to this country at a rate of interest higher than had been given by the government. Whether designed or not, this command and disbursement of large amounts of money, completely, at the time, covered the consequences of the destruction of the Bank of the United States, and gave to the country a hollow and factitious prosperity.

Notwithstanding the great increase of expenditures, some forty millions of surplus had accumulated in the vaults of the local Banks. Upon a previous occasion, the President had advised a distribution; and, after a fierce struggle in Congress, an act was passed directing it to be deposited with the States; and, although his views had subsequently undergone a change, he reluctantly approved the measure.

Foreign capitalists, used to wars and convulsions, watched the operations of our government with a vision true to their interests; and, taking alarm at the attack of the President on foreign capital, his revolutionary spirit, and daring usurpations, withdrew their funds, in time, to a place of safety. The Banks commenced curtailing, to meet the provisions of the distribution act. But it was soon discovered that it could not, with other demands, be met; and a suspension of specie payments ensued throughout the land. A tremendous and frightful revolution, in every branch of business, took place; and credit and confidence were shaken to the centre. Money became more scarce in both hemispheres; it seemed, indeed, to have vanished. Interest rose, and with difficulty negotiations could be effected on any terms. Instead of coolly investigating the causes, and applying such relief as his elevated and powerful position might command, to save thousands from ruin and distress, the President denounced the local Banks as worthless and faithless—pursued them with an inveterate rancour—and turned upon them the full tide of public indignation—made them the stalking horse of the demagogue—robbed them of the people's confidence, and paralyzed all their useful energies. But, by his own act, the deposit of the public monies, the Banks had been stimulated to wild expansion; they were, for the most part, controlled by his own political friends, and were the creatures of his devoted States.

In the Treasury Circular, the President added another link to the already lengthened chain of Executive usurpation. This circular required specie only to be received at the land offices, which checked sales, and, by further alarming the capitalists, added another blow

to the already sinking credit of the Banks. Congress *ventured* on a vote of disapprobation, by a large majority in both houses, repealing the order. But the President placed it in his pocket, and thus defeated it.

The President's popularity was yet so powerful as to contribute very largely to the election of his successor, the present incumbent, whose other claims on the confidence and affection of the American people, were certainly questionable. He promised, however, to tread in the footsteps of his illustrious predecessor, and declared that it was glory enough to have served under such a chief; and the people were satisfied.

The present incumbent came into power at a period most unfortunate for himself and for the country. A re-action, as we have shown, had commenced—in a bloated and boasted prosperity; and he had pledged himself to the course best calculated to urge it on. He had, in his zeal to support the views of his predecessor, denounced a Bank of the United States as unconstitutional, and cut off all relief from that quarter. The local Banks had been denounced as unworthy of public confidence; and he sunk them yet lower by concurring in their condemnation. The affairs of the country had become desperate—money scarce and Bank notes depreciated—the prices of property and labor tumbling down—improvements suspended—and bankruptcies numerous. Indeed, so gloomy were the affairs of the country, that the President convened an extra session of Congress, to devise means of relief; to whom he gravely recommended the withdrawal of the public monies from their former places of deposit, and to lock them up in safes and vaults, as the remedy.

As a part of his argument for a Sub Treasury, he decried institutions which had been used, from the establishment of the government, as depositaries; and which, in times of emergency, responded patriotically to the calls of the government; and which had aided the great interests of this country to enter honorably the list of competition, in all necessary and valuable works of improvement, with those of the old world. At the first moment of difficulty, they are condemned as unworthy of public confidence, and even dangerous to liberty. Again, in December, 1837-38, this Sub Treasury is pressed on the consideration of Congress, as the grand panacea of all our woes.

Congress was composed of a majority of his friends, and it is quite immaterial whether they considered his project incompetent for the crisis, defective in principle, or nerveless in expediency—it was rejected.

The President now seemed to take the matter seriously to heart. The only measure he had concocted, by the aid of the Secretary of the Treasury, must not be treated so lightly. His forces are marshalled anew—the unfaithful discharged, and more supple tools put in their places. They open their battery on the dead Bank. The dying and living Banks they represent then as the hydra-headed monster, against which the former President had to exert his Herculean strength to keep in check. Corporations of all kinds were declared dangerous to liberty, to the poor, and to democracy. Congress convenes, and the President draws a strong and vivid picture of the distresses of the country, and again recommends the locking up of the public money in safes and vaults, as the means of relief. This doubtless was *pro forma*, as he had no money in the Treasury to be locked up. The fact that he has had to issue, from time to time, Treasury notes, shews how preposterous it is to expect relief at present, at least, from a scheme on which the government is destitute of the materials to operate.

To make this Sub Treasury scheme a law, the State of New Jersey has been disfranchised—her legal and official attestations trampled under foot—her sovereignty violated—her rights disregarded and insulted, by the friends of the present administration in the House of Representatives, by refusing seats in their body to persons regularly commissioned under her authority, and clothed with all the attributes of her sovereignty. By this act, every State in the Union has received a blow which should not be disregarded. By the request of the Governor of New Jersey, I herewith submit the resolutions of her Assembly on this subject, marked A.

While the rights of New Jersey were being desecrated in the House of Representatives, the Senate was engaged in passing a resolution gratuitously refusing to assume the debts of the States, alike insulting to their feelings and injurious to their character. If, under circumstances of peculiar hardship and distress, a State were to petition Congress to assume her debts, and Congress was to do so, it would not differ in principle from assistance granted to an ally in distress by war, or to the relief afforded Carraccas suffering from the effects of an earthquake, or to New York, when almost devastated by fire. At all events, a State would be entitled to a respectful attention and friendly consideration; but to refuse without being asked, is marked with the grossest impropriety and injustice. The Senate knew that many of the States were engaged in improvements of great importance, and depended on negotiating loans in Europe to complete them, and requiring unimpaired credit for advantageous success; which was

necessarily injured by that action of the Senate, and the works most probably defeated.

It is true that North Carolina has no public debt; but it is not the less injurious and insulting to her character, to be told by her servants, (who are presumed to know,) in the Senate chamber, that she is unworthy of credit; and such a declaration by the Senate, when seen in distant parts of the world, where negotiations for money are sought, must be injurious to her credit—and probably would have defeated her object, if she had attempted to procure the loan contemplated by the act of your last session.

Now, gentlemen, I have shewn you the destruction of the National Bank, in total disregard of the wish of Congress and the mercantile and commercial parts of the nation; the violation of law and contract, in the removal of the public treasure from the place where the representatives of the country directed, under a false allegation; the issuing a Specie Circular, at the Executive will, and the continuing its operation after Congress had condemned it; placing the public money in favorite local Banks, and urging them to use it in expanding discounts—and, because they could not return it when called for, denouncing and persecuting them; the outrage upon the sovereignty of New Jersey; the gross and gratuitous insult on the character and credit of all the States; were enough, surely, without referring to the operations of trade, or the abuse of the Banking privilege, to alarm capitalists as to the stability and integrity of our institutions—to banish money and destroy credit—in fine, to produce the terrible pecuniary revulsion which has shaken our country to its centre, bringing ruin and distress on thousands. And the Sub Treasury remedy, gentlemen, for diseases like these! Surely the Sangrado theory never has been so graphically illustrated. The weakness and inadequacy of the proposed remedy is, indeed, like sporting with our wrongs and sufferings.

What good can result from the withdrawal of all governmental connection—all its fiscal operations from the Banks, and leaving the States to regulate the currency among themselves as they best may? It is like separating the head from the body, and expecting their joint functions to be continued. The President says that the Banks form a chain of dependence from one end of our country to the other, and that it “reaches across the ocean and ends in London, the centre of the credit system;” and with this chain of dependence of mighty magnitude, he will have nothing to do, but leave us to the tender mercies of the English to regulate our currency and credit, perfectly indifferent to our fate, so that the government and its officers get their dues in gold and silver.

The President certainly looks to a total destruction of all Banks when he says, "It is moreover a principle, than which none is better settled by experience, that the supply of the precious metals will always be found adequate to the uses for which they are required.— They abound in countries where no other currency is allowed."— Like the fabled appearance of men in Rhoderick Dhu, it is only necessary *to will*, and we shall have a plenty of specie, which seems to be so dear to his feelings. He overlooks, or forgets entirely, the sacrifices to which we must submit to obtain it in competition with those countries, where it is now held. It will be first necessary to make the balance of trade preponderate in our favor in order to effect this, (the aid of Bank credit and our hitherto liberal and enlightened policy having been dispensed with.) We must submit to the European, and Asiatic prices of labor, their rigid economy, their grinding slavish habits of toil, before we can successfully compete with them in trade, agriculture and manufactures, or produce a balance in our favor to be discharged in coin. To expect a permanence of the precious metals from a forced and unnatural importation, would be about as rational as to attempt a suspension of the laws of gravitation.

The President says, "in a country so commercial as ours, banks in some form will probably always exist," and thinks the sub-treasury will deprive them of the character of monopolies, and be a salutary regulator and keep them in check. In this expectation of the continuance of Banks, he may be sincere; but the recent destruction of these institutions in the District of Columbia, shews very conclusively the wish and intention of his party. The collection of gold and silver in the dues of the United States may have some influence on the banks in the large cities, where large disbursements are made; and where the balance of trade concentrates, they will no doubt be least injured and enabled to exist; and on New York he must have had his attention fixed, when he made this assertion as to the probable existence of Banks: but to remote places, agricultural and interior States, what other than a deleterious influence can it have, whence the specie must be drained constantly in payment of the dues to the United States, without any probability of an invigorating reflux?

It is due to the State, and necessary to a restoration of our happy, prosperous, and honorable condition, as far as in our power, to mark with unqualified reprobation, this infringement on the rights and credit of the States—this war on the institutions and capital of the country. For when the accumulation of wealth is the result of industry, economy and skill, it is certainly honorable to the owner; and whether it consists in land, chattels or stock, is unquestionably

entitled to the stern protection of the law; and the person, matters not what his standing or position in society, who indulges in the practice of misrepresenting and detracting from the value of either, deserves its severest lash. Let us put the seal of reprobation on the unfaithful officer who violates the Constitution in letter or spirit.— Let us inform the President that we consider the purposes of Government to mean something more important, as the regulator of “trade and commerce with the States,” than merely picking out the gold and silver from the currency, in the discharge of the public dues, to pay out to the officers. That the currency of the country, no matter of what it consists, must be the medium of exchange, and is as essential to “trade and commerce with the States,” as the circulation of the blood is to the animal existence, and as necessary to a healthy State, to be regulated by a central power, as the other is to flow from the heart. Gold and silver are tests of the value of the currency be it what it may, and if so applied, are valuable; but their intrinsic value is of small consideration, compared to the advantages of bank notes, checks, and bills of exchange, as a medium of exchange.— What power should apply this regulator? Certainly the United States, for none other can.

The object to be attained, is *a uniform currency throughout the Union, based on specie and on the credit of the States, or of the United States*. How can this be accomplished? is the rightful enquiry. I have no fear in the answer, that it can only be effected by an arrangement entered into *by law*, between the State and Federal Governments, for improving and using the local Banks, *or* by the establishment of a Bank of the United States, with sufficient capital assigned to each State to supply the amount of notes for all useful and necessary purposes. *One kind of bank notes, with a specie basis and ample guarantees*, can alone meet the object and accomplish the purpose desired. Where, as at present, a large variety of Bank notes, issued from eight or nine hundred Banks, are thrown into circulation, experience has proved that they cannot stand on equal footing—actual and fictitious circumstances will produce degrees of value totally destroying their worth as a national circulating medium.

I would prefer an arrangement by which the local Banks would be remodell'd to the establishment of a Bank of the United States, because the renewal of their charters could be made to happen successively, without producing the political convulsion which has twice attended the renewal of the charter of the National Bank; because, too, some of the present institutions could be adopted, and the redundant merged into them, or allowed to expire at the end of their charters.

A Bank of the United States, of sufficient capital to supercede all the local Banks, might be made an engine of oppression, and dangerous to our political institutions, which the local Banks could not.—The superceding the local Banks by a National Bank, must unquestionably produce a revolution in the monetary affairs of the country to an immense extent and unforeseen consequences.

Capitalists in all countries, and more particularly in ours, are the pioneers of their own fortunes, and look with an eye single to their interests on the selection of the managers of institutions in which they invest their funds. Nor are they usually combined with the politician, for their notions are antagonistical. The study and success of the one, destroys that of the other. Stockholders are the managers of the local Banks. The funds of these Banks, divided over as great an extent of country as ours, and under the management of their own officers, presents an insuperable difficulty to the formation of political cabals or any other, for the injury of the great interest of the country, with whose welfare they are so intimately connected and identified. A National Bank might fall into the hands of a clique, who, conscious of their power, might be tempted to interfere in federal policy to the great injury of its pecuniary affairs, and inflict a stab on the liberties of the country.

The Banks in the North are much more numerous than in any other section, being established in most parts where money could be usefully employed, and in such sums as were demanded by the capacities of the country; and they have been ably and successfully managed; pushing and developing the natural capacities of the country to a great state of perfection, stand high in their own sections where best known; yet we seldom ever see one of their notes in circulation in our State, and a greater part of them never pass out of their immediate neighborhoods. The Banks of the Southern and Western States, have partaken more of, and, no doubt, have been influenced by, the character of the country. Many have been established on false principles and been badly managed, and the result could not be otherwise than disastrous to the stockholders, who had *actual* capital invested; but that appears not to have been the case to any very great extent. I have no doubt that those which have capital, and will take warning from experience, will yet do a valuable business.

The recuperative powers of these sections of the country are immense, and afford great room for the employment of capital. Even under their recent management, I do not know that we have more cause to lament than to rejoice, except as to the injury our national character and credit have sustained; as it has resulted in many great

and solid improvements, equal, and perhaps superior, to any thing of which we can boast.

That Banks are susceptible of improvement both in form and management cannot be doubted now, when such vast and astonishing improvements have taken place in Agriculture, Manufactures, sail and steam Ships, Rail Roads and other inventions.

The operations of the Federal Government continuing to effect the Banks, ours as well as many others, were a second time compelled to suspend specie payments, or force the collection of their debts to the injury and ruin of many of their dealers. The wisdom of their choice I am not disposed to question. Most persons seemed to acquiesce in its correctness. The few who did not, complained to cover their demands for the double interest, the penalty imposed on our Banks for refusing specie when demanded.

For political effect, they have been subjected to the constant fulmination of spleen and vituperation by certain partizan presses and orators, who hope to bolster up their falling fortunes by exciting popular prejudice, and diverting attention from their own misdeeds in the popular clamor. And the usefulness of these institutions have no doubt been considerably curtailed by these attacks. Surely they calculated greatly on the ignorance of the people, when they expected to acquire either reputation or strength by such a course. Of what, I ask, consists the Banks of this State? The State has put into the stock about one million fifty thousand dollars, and individuals, about two millions two hundred thousand dollars. This constitutes the Banking capital of North Carolina, and for every dollar actually paid in, two may be issued when prudent to do so, by the Banks in their notes. At this time their issues amount to about one half of their capitals. The interest they receive on loans is limited to six per cent. per annum. Should they refuse to pay specie when demanded, the holder of their notes is entitled to 12 per cent. interest. Every six months they are required to pay to the stockholders whatever profit may have been made; and if the individual stockholders derive any unusual advantages, it should be recollected that the State—the *people*, participate in about one third of the profits—that being the proportion of her stock—and also a tax on the individual stock.

This is pretty much the sum and substance of these much abused institutions, which, like every thing else under the management of human heads and hands, are capable of doing good or evil, according to the influences which are made to operate on them. In a country like ours, of moral honesty, the keen eye of interest will, in all

probability, insure their able and correct management in the selection of Directors of good character, skill and integrity. There are persons whose opinions are entitled to the highest respect, who contend that we have a sufficiency of Bank capital. This I consider clearly erroneous. The present stockholders might fear further competition in the money market, if all the natural capacities of the State had been improved, or if improvements were worthless. But the reverse is the fact, and an immense amount is required for that purpose, independent of the deficiency for trade and commerce. Our most convenient lands are cleared, worked, exhausted and deserted; our dwellings are mostly of a poor & temporary kind; our water power only occasionally occupied by small manufacturing establishments; our boundless mines and ores almost entirely neglected; and why are these things so? Because we have not in our State those facilities which Banking Capital abundantly affords elsewhere.

We need more, not only to develop the vast resources of our State, but to keep off the notes of other States, and supply our entire circulation. I have been well situated to learn these facts. Many applications have been made to this office to borrow the funds of the Literary and Internal Improvement Boards. Those who contend that we have capital enough, I am persuaded, must have confounded capital with Bank issues, and were induced to say so because the Banks had suspended specie payments. I have ever understood that the more capital, either Bank or individual, a country possessed—the stronger and richer it was considered. If our Banks had more capital, I am satisfied they could the sooner resume specie payments and discounts. Can there be a question of a large floating debt in the country, subjected to the shaving process? In the place of paying six per cent. per annum at the Banks, many debts are made at 10, 15 and 25 per cent. between individual debtors and creditors. To obviate such an usurious shaving process, more banking capital would be valuable to the State. Our merchants, unable to obtain discounts at home, to make their purchases in New York with cash, are compelled to submit to credit, and if not paid when due, have to pay seven per cent., making a loss to the State in the regulation of the balance of trade of one per cent.

A difficulty is apprehended in obtaining subscribers, which may be so. Capitalists have had such good reason to be alarmed for the safety of their funds, by the constant senseless attacks on these institutions, and the instability of our laws, that they will part with the management of their money, doubtless, with some apprehension and reluctance. But I hope those acts of usurpation, violence and de-

fraction, have passed never to return; and that confidence and liberality will again take their places, and that offering fair inducements, capital will be drawn to the State, and from its hiding places again to afford the poor, but honest and enterprising man, the means to benefit himself and his country. Whatever might be the result to the owner of capital, whether in the hands of individuals or stored away in Banks, its *presence* could not possibly do the country any injury.

The four years I have been in office the Banks, in Dividends and Taxes, have yielded to the state the sum of two hundred and fifty-three thousand two hundred and one dollars 87 cts; which has been paid into the public Treasury, the most conclusive proof of their value to the State, and during which period the receipts from all other sources of Taxation in the State amounts to three hundred and four thousand three hundred and 68 dollars 69 cts.; showing the advantages of a small *active* capital over heavy landed and personal property. That the stock in the present Bank is good, requires no better demonstration than that it continues at or above par, while all other property has been greatly reduced. Borrowers generally, so far as I have been enabled to discover, prefer an accommodation from Banks to any other source, and note holders find abundant indemnity in the penalty of 12 per cent. if specie is refused. I can then discover no sensible reason to doubt their utility or to circumscribe their operations.

This State participated less in speculations of the day than any other in the Union. We felt for a while the influence of the general prosperity of the country, from the Institutions and means of other States more than from our own. Bank capital has increased but little for many years, and except what funds were devoted to the construction of Rail Roads from the surplus, a small amount on loans and the credit of the State, the active capital has decreased by investments in the stocks of rail roads and manufacturing companies; but surely furnishing a basis abundantly justifying its restoration and increase commensurately with our wants. And until some general arrangement can be made to put the State Banks of the country on higher ground, and capable of more solid and useful purposes, or the establishment of a National Bank, I would respectfully recommend the increase of the capital of the Banks of the State and Cape Fear, one million of dollars each, and that the State hand over to them equally, as her subscription of stock, all the Cherokee bonds, and the bonds and notes belonging to the Boards of the Literary Fund of North Carolina, and Internal Improvements, convertible as collected.

with such other funds as can be spared from other purposes ; provided the Banks will loan to the Wilmington and Raleigh, and Raleigh and Gaston Rail Road Companies \$300,000 to \$400,000, on the bonds of said companies, guaranteed by the State, on the property of which companies the State being already secured by mortgage, at a rate of interest not exceeding 6 per cent, per annum, for the period of ten years, unless these companies are enabled sooner to pay the same.

The higher the grounds upon which the State can place these Banks, by protection and strict supervision, the more she will inspire public confidence, fill the subscription, and enable them the sooner to resume specie payments and extend their usefulness. For the recommendation of increasing the capital of our Banks and requiring their aid to the Rail Roads, I would endeavor briefly to assign you my reasons.

And although I have the pleasure of congratulating you on the completion of two Rail Roads in our State, which, for cheapness, length and rapidity of construction, are comparable to any in the world ; yet it is attended with the regret of having to inform you that their cost and extra expenses have exceeded their means. In short they are in debt, and turn to you for assistance ; for there is no other source whence they can and should so rightfully seek it. No doubt they do so with reluctance, yet this but proves the urgency of their necessities.

Whatever reports may be made now by their officers of the prospects of profits to the stockholders, the advantages to the State, to the farmer, the land holder near them, to the mechanics and laborers, and their great utility for the diffusion of knowledge and for the concentration of troops in cases of emergency, cannot now be questioned. Their destinies seem now more or less identified with the character and prosperity of the State. Many patriotic persons have nobly put their shoulders to the wheels, invested their money in the stocks of these works, and will for some time receive less compensation than they might have done by other investments. If a few months operation of a Rail Road had given evidence of great profit and the Road needed immediate assistance, would it be the policy of the State to withhold it ? I should say not. Then how much more the necessity of exerting this policy in granting assistance to establish these Roads on such a footing that they may freely and fully test their utility.

The advantage from such improvements, to the State, are of higher and loftier importance than can possibly accrue to her from

any pecuniary profits, which her investment could yield. She is above all risk. But the Stockholders can derive or receive no other advantages but those arising from dividends, and while these are devoted to the payment of the debts and yielding no remuneration, cannot reasonably be expected to enlarge their investments.

It is generally admitted, and, I believe, cannot be denied, that one half at least of the travel has been arrested by the disastrous times brought upon the country, as I have endeavored to show, by the acts of the Federal Government. We may now trust that more prosperous times will, ere long, be restored, and the travel resumed.

On the "let us alone" principle, the recuperative powers of this new country would soon restore prosperity. But we may expect, in addition, the hearty co-operation of the fostering powers of the General Government in bringing about the highest state of national prosperity, rather assisting and relieving, than reviling and distressing all the institutions of the country. As the country becomes more thickly settled, travel must increase on the roads and enhance the income in proportion. In proof of this, I have seen no report of the operations of Rail Roads in this country or Europe, which does not show an increase of receipts; and their operations in our country will yield a greater increase on account of our disposition for travel.

It would be idle, gentlemen, to talk to you relative to the many advantages resulting to the country from the establishment of Rail Roads. They have ceased to be experiments. Their facility in expedition afforded to travellers, in connection with Steam Boats and Steam Ships, will ensure their construction where the current of trade and travel require. They may be subject to mutations in profits, like all other property; but if correctly located, economically constructed, and well managed, they must be good property to the Stockholders; and if not, their utility to the other interests of the country cannot be questioned.

The attack of the President of the United States on Rail Roads, is exceedingly strange and unjustifiable. In the transportation of the mails, diffusion of knowledge and intercommunication, the easy and quick conveyance of armies to points where the country may be assailed, must be decidedly important and necessary to the Government, and favorable to the liberty of the citizen.

Where, then, can be the sense or propriety of these attacks of spleen and enmity? I am satisfied your honorable body can entertain no such feelings; but that you will afford such relief and succor as is commensurate with the means and character of the State and the wants and merits of the work.

It may be contended that our Rail Roads have been injudiciously located, too expensively constructed, and even badly managed. But we should bear in mind, that they are our first experiments, and made at a period when the country was in more prosperous circumstances, and every thing of higher value: That both mistakes and unnecessary expense are the usual results of new works; but it should also be held in remembrance that many *individuals* backed their favorable opinions of these enterprizes freely with their *own money*, and that they could not have practiced any intentional deception on the public, when it would fall so heavily on themselves.

Suppose we should admit the fact that our Roads have not, so far, met public expectation, or even of the individual stockholders to the full extent; yet should we shut our eyes to the cause? Should we not remember that the general prostration of all other branches of business may have reached the works on the Roads; that few extensive works immediately prove profitable; and that they have been only a few months in operation—certainly not long enough to test their worth to the stockholders? To all other interest, their utility can be of no doubt. We see every species of property greatly sunk in value; slaves, our most tangible and active property, depreciated at least 50 per cent.; land yet more; and lots in our most favoured places, scarcely selling for the cost of improvements; very few farms yield legal interest, and, in the aggregate, probably not 2 per cent. on their value; yet who so bold as to say that we should abandon the farm or neglect to build houses and improve town lots?

What, it may be asked, is the cause of such a state of things? The President of the United States informed us, in his message at the extra session in 1837, that it was overtrading, sumptuous living, and the issue of too much Bank paper. But such reasons, however, apt for other places, are totally inapplicable to North Carolina. There has been no overtrading here, no extravagant living, and *less Bank issues than we had twenty years ago*; and although our Bank capital was increased a small amount four years since, we have about the same now we had 10 years ago, exclusive of the capital of the branch Bank of the United States, which was employed in this State; during which time our demand has certainly greatly increased. It is the want of Bank or other active capital which has been the cause of sacrificing real estate and every other large amount of property, when forced into market for cash. More is actually required, not only to save property already existing from changing hands at great and ruinous sacrifices, but to assist the manufacturer, trader, mechanic and laborer, in the various branches of business, and the improvement of the natural advantages of the State.

Under a resolution of your honorable body, at its last session, I addressed a communication to the Governors of the several States, requesting information on the subject of Penitentiaries, Lunatic and Orphan Asylums, and Houses of Refuge; from whom several interesting replies have been received, but not sufficient to enable me to give you much light on those subjects. I hand you herewith marked B, the information obtained, and submit the following general remarks: That all seem to concur in their usefulness; that by the establishment of a Penitentiary the punishment of crime may be more correctly graduated to its atrocity. Under our present code of criminal law, many punishments are fixed, and others left to the capricious estimate of the Judge; and to many cases neither the one or the other appears so fitted as to give satisfaction to public feeling. The result is, that in almost every case, a petition for pardon is preferred to the Executive, with whom it is idle to say that the petition of *many respectable* persons should have no weight. Although he may be satisfied that petitions are generally drawn by partial or prejudiced hands, in the absence of all information which no law provides for his guide, he is not enabled to act satisfactorily to himself or justly to the State or petitioner; but where a doubt is raised, he feels impelled to act on the side of mercy.

In the establishment of Penitentiaries and Laws for their government, punishments could be better graduated to the crime and leave less room for complaint and petition. As they are generally used in all christian countries, to avoid shedding human blood and the exposure of punishments, in obedience to the more advanced state of civilization and refinement, profit and loss should not be a matter of consideration in providing the means of saving human life and obtaining a mode of punishment adapted to the crime. Regarding them, however, in an economical point of view, it would probably be less burthensome to the country than the present mode of confinement in the jails of the counties.

As regards Lunatic and Orphan Asylums, I presume there can be but one opinion.

The returns of the Clerks and Sheriffs of thirty-six counties shew the number of Lunatics to be two hundred and forty-nine of poor, wretched creatures, most of whom call strongly on our charity and philanthropy for shelter, food and nursing; and no doubt if the number and condition of the orphans could be ascertained, the appeal to our sympathies would be equally strong.

The State is abundantly able to construct the necessary buildings,

and it only requires the action of your body to establish the principle and place, upon which they shall be erected; the appointment of a competent superintendent to visit the various establishments of the kind and collect the necessary information, both of Penitentiaries and Lunatic and Orphan Asylums, and to commence the work as soon as the plan should be approved by the Governor or a Board of Commissioners raised for that purpose and an appropriation to meet the expenditures, placed subject to the Governor's warrant. In the mean while the necessary code of Laws might be prepared under a commission granted by your honorable body for that purpose.

Most of the counties have adopted the common school system, and a few have received the State's quota of money to aid them in this most estimable object. The want of School Masters is the only complaint which has reached me, and will, in all probability, be the most formidable obstacle to further success. By applying the proper corrective, that and all other difficulties, I hope, may be overcome. The several counties which refused the adoption of the system, no doubt acted on mistaken views, or wrong information; and their participation should, in justice, be provided for by law.

It is with the most unfeigned gratification that I congratulate the General Assembly on this work of their own, which has placed in reach of poor parents the opportunity of obtaining for their children what will so eminently improve their moral and mental condition, to make them better and more valuable citizens, and inspire them with grateful feelings to their country, which will never be forgotten in the hour of danger.

It is with great pleasure I have to inform you that, in obedience to the direction of the last session of your honorable body, a survey of Nag's Head has been procured. Under their resolution, directing a report to be made by some able and experienced Engineer, the Board of Internal Improvements appointed Major Walter Gwynn, who commenced operations in May last, and reported to the Board in June. This able and lucid report amply sustains the propriety and importance of your inviting the attention of Congress to the opening an Inlet at that point as a national work of the highest importance. The resolutions claiming the attention of our Representatives and Senators in Congress, were forwarded to them. The Representative from the first district, in which Nag's Head is situated, gave the subject his prompt and unremitting attention. A copy of the report and map of the survey were also forwarded to the representative from that district; but it reached him at too late a period of the session to be acted on.

Would it not be well again to urge this work on Congress? I am decidedly of the opinion that the enterprise is among the most important of any in the United States—in a national point of view, in the saving of lives and vessels, and the increase of the revenue; and to the State, in enhancing immensely the value of the lands and their products, and securing a mart to a large section of country, which has now to seek one elsewhere at a greatly increased expense and hazard. No principle has been better established by practice, than the right and propriety of the Federal Government to execute works of national importance; and none, in my opinion, is more clearly so in the United States, than opening an inlet at Nag's Head. If we turn to the estimates of the War Department for improvements, we shall find many vastly inferior, under the patronage of the General Government. It is, then, due to the State, and particularly to that section, to urge the execution of this work on the Government?

The very able report, on this subject, by Major Gwyn, will be submitted by the Board of Internal Improvements; to which I beg to invite your especial attention.

The work for draining the swamp lands has progressed considerably. The Pungo Canal is finished, and the Alligator about half completed. The lateral ditches on Pungo Canal are now being cut, and some 15,000 acres nearly prepared for market. I see no reason to doubt the wisdom of this improvement.

I am very clearly of the opinion that opening an inlet at Nag's Head—reclaiming the swamp lands—improving the Neuse river as far as practicable, and thence the construction of a rail road to Raleigh and turnpike to the mountains—and the construction of a rail road and turnpike, flanking South Carolina, from the head of tide water, on the Cape Fear, to the West—form the system of improvements alike demanded by the character and interest of the State, to be accomplished whenever her means will permit.

The depressed state of the pecuniary affairs of the country at home, and its impaired credit abroad, would not justify undertaking, at present, improvements of very great extent and magnitude; but as far as the means which the State can command will go, there never was a more appropriate period. The disbursements in the construction would benefit every branch of business in its vicinity, by giving employment to laborers, mechanics, and a market to the farmer; and the work could be executed more readily, and at less cost, than in more prosperous times. In what could the surplus money and credit of the State be better employed, than by relieving the distresses of her people, and the improvement of her natural advantages?

As an improvement particularly called for by the wants of the State, entirely within her means, and important as the connecting links between her existing rail roads, the seaboard and the interior, I would call your attention to the improvement of the Neuse river from Newbern as far up as practicable and useful; thence by rail road from the Wilmington and Raleigh Rail Road to this place, for which the country and material are best adapted; and thence to the mountains by turnpike, as best suited to the use and material of construction of the country. This chain of improved communication and intercourse, is due to the State, and especially to the northern tier of counties, the trade of which has been diverted from our own markets to *one* in a neighboring State. This improvement would place at the pleasure of the farmer one or many markets, in or out of the State, with equal facility, and regain their lost relative position; and as it may be presumed that most would prefer those in the State, it would secure the profits which might otherwise accrue to our neighboring States, and assist in obtaining the balance of trade in our favor. At least, a fair competition would be afforded. The advantages to be derived in the purchase of West India produce in Wilmington and Newbern, and their better facility for shipping, will more than equal any advantages their competitors abroad can offer.

It is probable the stock would be readily taken by individuals, if companies should be incorporated for that purpose, for the two-fifths or one half of the amount, with proper privileges of payment.

The rail roads in our State have not had, as yet, sufficient opportunity to test the value of such stock; and as for investments in turnpikes, we have but few data on which to base an estimate. The Buncombe road yields a handsome profit, and it appears to me that a turnpike from this place to the west would be still more profitable, if the value of the stock were the only object of the State in constructing it.

The Board of Internal Improvements, agreeably to law, caused books to be opened, under the superintendence of active agents, to obtain the pre-requisite subscriptions before the Fayetteville and Western Rail Road Company could receive the State's subscription and organize, and, I regret to inform you, without success. This appeared to be the favorite scheme of the State and I was anxious to see it executed. To the poverty of the country through which the greater part of the road would pass, and the depression of the monetary affairs of the country, may this failure be attributed.

Soon after the adjournment of the last session of your honorable body, Daniel W. Courts, Esq. resigned his appointment as Public Treasurer of the State; the vacancy occasioned by which was temporarily filled by the appoint-

ment, under the advice of the Council, of Charles L. Hinton, Esq. who has since sedulously discharged the duties of the office.

In the course of the present year, the Hon. R. M. Saunders and the Hon. John D. Toomer, Judges of our Superior Courts of Law and Equity, have resigned. The vacancies thereby occasioned, have been supplied, under advice of Council of State, by the appointment of Edward Hall, of Warrenton, and William H. Battle, of this City, whose commissions will expire at the close of your present session; and they both entered immediately on the duties of their respective stations.

It is with great diffidence I venture on any observations relating to our Court system; but I should not believe my duty discharged, if I remained silent. The resignations of Messrs. Saunders and Toomer have brought to my knowledge the feelings and wants of the State in the appointment of these highly valuable and indispensable officers. The East, West, North and South claim the right and propriety of being supplied; and I have no doubt these considerations will be felt in the election of these officers in your body. If the range of the State were necessary to supply the higher order of talents, no change ought to be made; or, if the yielding to sectional considerations could meet the wants and wishes of the people, we might be content with the present arrangement; but I am persuaded neither the one or the other is effected. In every district, many men may be found abundantly qualified to discharge the duties of judge. When the claims of any section has heretofore been gratified, it has proved only for a short space of time—the incumbent generally changing his location for convenience or health, and again the district is left destitute of one of those valuable officers. To remedy this defect and quiet the conflicting interest of the different sections of our State, I would very respectfully recommend the location of the judges in each district respectively. The law must, of course, be prospective, and the present opportunity can furnish two vacant districts. It appears to be due to the Bar, to the wants and convenience of the people, and to the judges themselves, to make this alteration. The ridings might alternate as now, or the judge be confined to the duties of his own district. The latter appears to me best. A person from the mountains cannot ride in one of the sea board districts in the fall with impunity. His risk of sickness and death is certainly alarming, and the result has been that the business of those districts is hurried over in a state of mind which must detract greatly from comfort and a satisfactory discharge of duty. The services of a most valuable officer has just been lost to the State by the fear of riding the first district this fall.

Allow me, gentlemen, to call your attention to the acts of 1836'-37, creating the Boards of Internal Improvements, and of the Literary Fund of North Carolina. Of both these Boards the Governor is a member, and *ex-officio* president. Large sums of money are at their disposal, which they were required to invest in Bank stock and lend to

individuals and corporations. These funds are daily increasing by appropriations, interest from loans, and Bank dividends. These laws are clearly defective, and should be altered. If it were intended to establish a loan office, the necessary provisions should be made, and competent officers appointed with adequate salaries. But it certainly never could be intended to convert the Executive into a loan office, occupying more of the attention and responsibility of the Governor than all his other duties combined, and diverting him from the higher and more enlarged trusts committed to his care.

It is considered radically wrong in the State to adopt any law by which individuals become debtors to it. Whatever spare funds the State may have, should be invested in stocks or devoted to the improvement of the people and country. If no other alteration is made, it would be a matter of great relief to the Governor for a union of those Boards. Such an alteration would curtail one half of his services, reduce the number of the members, and save expense to the State. Loans should be forbidden, and authority extended to investments in the stocks of rail roads and manufacturing companies, by purchase or by subscription, as the Board may deem best for the interest of the State; and all sales, in future, of property belonging to the State to be made for cash only. Should the contrary course be pursued, more money will be lost than credit sales would seem to promise, and your tables filled with petitions for indulgence which would be exceedingly painful to refuse.

The standard weights, agreeably to an act of your last session, have been contracted for; and they are nearly completed, and being delivered to the several counties. No standard for measures has yet been received from the Federal Government.

The proceedings of Georgia, South Carolina and Virginia, herewith submitted in file C, to your consideration, at the request of their respective Governors, relative to the demands of Georgia and Virginia, on the States of Maine and New York for the apprehension and delivery of fugitives from justice, and their refusal, present matter to the Southern States of the most delicate and important nature. It is believed, under an influence of the most pernicious kind, that these States have acted in bad faith to the compact which secures the right of demand and surrender of fugitives from one State to another. The causes assigned are considered unsatisfactory.

In connection with this subject, the formation of a military company of negroes, most, if not all, supposed to be fugitive slaves, clothed in the British uniform, stationed on the Canada frontier, and permitted to insult and threaten the lives of Southern travellers, and the constant practice of our slaves deserting to, and finding protection with, the Northern and Eastern States, increase greatly the necessity of action on these subjects; in which all the Southern and Western States, to which such acts are injurious and offensive, should act together coolly and deliberately, but firmly, in the protection and maintenance of their rights.

Since the distribution of the arms, under the act of 1836-'37, to the sev-

eral counties which were then in the arsenals at Fayetteville and this place, the quotas to which this State are entitled from the General Government have been received at Newbern and Fayetteville, except several pieces of ordnance, the carriages and appendages of which were burnt in the recent fire at Wilmington, while waiting reshipment to Fayetteville. The law provides for arsenals at Fayetteville and this place, but none at Newbern, a point equally important and necessary for a depot and keeper. The cannon burnt at Wilmington and other arms, occasionally require repair for their preservation and usefulness; but there is no law for such purpose. The Executive is empowered to employ a guard at the arsenals whenever he should deem it necessary. This might be better accomplished by allowing uniform Companies some exemptions and privileges from taxes, &c. who would undertake the duty in such way as the Governor should prescribe. It would accomplish the double purpose of having those companies under better discipline, and the arms under better protection, which are matters of no small moment. Indeed, if the law was to extend to the uniform volunteer companies throughout the State, privileges and immunities of even trifling importance, it would secure improved discipline in the militia, now too much neglected. Whenever the common school system gets into operation, it would be good policy to make military discipline form a part of their exercises; as we are all admonished, from many circumstances, not to forget the necessity of preparing in peace for any emergency; and as a system, it is best to commence with the youths of the State.

The Revised Statutes have been distributed agreeably to law, and the remaining volumes placed with Messrs, Turner & Hughes, of this place, and E. J. Hale, Esq. of Fayetteville, Booksellers, for sale on account of the State.

I have the honor of submitting herewith, marked D, "the remonstrance of the citizens of the District of Columbia by their delegates in convention to the people of the United States and to the Legislatures of the several States, against oppressions manifold and grievous, suffered from the misrule of the now ruling majority in Congress." In file E, the proceedings of the several States of Kentucky, New York, Maine, New Jersey, Vermont and Connecticut, relative to the public domain. In file F, from the States of Maine, Indiana and Ohio, on the subject of the disputed territory.

In file G, the resignations of Justices of the Peace will be found.

It affords me pleasure, gentlemen, to congratulate you on the completion of the Capitol, and the occupancy of more commodious and comfortable apartments for the transaction of business to all branches of the Government. It is a noble building and honorable to the State, and will descend to posterity as a proud monument of the spirit of the age. The completion of this structure, two Rail Roads, the establishment of Common Schools, and the reclamation of the Swamp Lands, will form a new and honorable era in the history of our State, to which her citizens may point with pleasure and pride.

I assure you, gentlemen, that it will give me unqualified pleasure to co-operate in any measure which may be deemed necessary for the happiness, welfare and security of our fellow-citizens.

I have the honor to be

Your most obedient servant,

EDWARD B. DUDLEY.

Executive Office, November 16, 1840.

LEGISLATURE OF NORTH CAROLINA:

RALEIGH, NOVEMBER, 1840.

RULES OF ORDER

FOR THE GOVERNMENT OF

THE GENERAL ASSEMBLY OF NORTH CAROLINA,

TO WHICH ARE PREFIXED

The Constitutions of North Carolina and the United States.

THE DECLARATION OF RIGHTS.

At a CONGRESS of the Representatives of the Freemen of the State of NORTH CAROLINA, assembled at Halifax, the seventeenth day of December, in the year of our Lord one thousand seven hundred and seventy-six, for the purpose of establishing a CONSTITUTION, or FORM OF GOVERNMENT, for the said State:

A Declaration of Rights made by the Representatives of the Freemen of the State of North Carolina:

Section 1. That all political power is vested in and derived from the people only.

Sec. 2. That the people of this State ought to have the sole and exclusive right of regulating the internal government and police thereof.

Sec. 3. That no man or set of men are entitled to exclusive or separate emoluments or privileges from the community, but in consideration of public services.

Sec. 4. That the Legislative, Executive, and Supreme Judicial powers of Government, ought to be forever separate and distinct from each other.

Sec. 5. That all power of suspending laws, or the execution of laws, by any authority, without consent of the Representatives of the people, is injurious to their rights, and ought not to be exercised.

Sec. 6. That elections of Members to serve as Representatives in General Assembly, ought to be free.

Sec. 7. That in all criminal prosecutions, every man has a right to be informed of the accusation against him, and to confront the accusers and witnesses with other testimony, and shall not be compelled to give evidence against himself.

Sec. 8. That no freeman shall be put to answer any criminal charge, but by indictment, presentment, or impeachment.

Sec. 9. That no freeman shall be convicted of any crime, but by the unanimous verdict of a Jury, of good and lawful men, in open court, as hertofore used.

Sec. 10. That excessive bail should not be required, nor excessive fines imposed, nor cruel or unusual punishments inflicted.

Sec. 11. That general warrants, whereby any officer or messenger may be commanded to search suspected places, without evidence of the fact committed, or to seize any person or persons not named, whose offence is not particularly described and supported by evidence, are dangerous to liberty, and ought not to be granted.

Sec. 12. That no freeman ought to be taken, imprisoned or dis-seized of his freehold, liberties, or privileges, or outlawed or exiled, or in any manner destroyed or deprived of his life, liberty or property, but by the law of the land.

Sec. 13. That every freeman restrained of his liberty, is entitled to a remedy to inquire into the lawfulness thereof, and to remove the same if unlawful, and that such remedy ought not to be denied or delayed.

Sec. 14. That in all controversies at law, respecting property, the ancient mode of trial by jury, is one of the best securities of the rights of the people, and ought to remain sacred and inviolable.

Sec. 15. That the freedom of the Press is one of the great bulwarks of liberty, and therefore ought never to be restrained.

Sec. 16. That the people of this State ought not to be taxed or made subject to the payment of any impost or duty without the consent of themselves or their representatives in General Assembly, freely given.

Sec. 17. That the people have a right to bear arms for the defence of the State, and, as standing armies in time of peace are dangerous to liberty, they ought not to be kept up; and that the military should be kept under strict subordination to, and governed by the Civil power.

Sec. 18. That the people have a right to assemble together, to con-

sult for their common good, to instruct their Representatives, and to apply to the Legislature for redress of grievances.

Sec. 19. That all men have a natural and unalienable right to worship Almighty God according to the dictates of their own consciences.

Sec. 20. That for redress of grievances, and for amending and strengthening the laws, Elections ought to be often held.

Sec. 21. That a frequent recurrence to fundamental principles is absolutely necessary to preserve the blessings of liberty.

Sec. 22. That no hereditary emoluments, privileges or honors, ought to be granted or conferred in this State.

Sec. 23. That perpetuities and monopolies are contrary to the genius of a free State, and ought not to be allowed.

Sec. 24. That retrospective laws, punishing facts committed before the existence of such laws, and by them only declared criminal, are oppressive, unjust and incompatible with liberty; wherefore, no *ex post facto* law ought to be made.

Sec. 25. The property of the soil in a free government, being one of the essential rights of the collective body of the people, it is necessary, in order to avoid future disputes, that the limits of the State should be ascertained with precision; and as the former temporary line between *North* and *South Carolina* was confirmed and extended by Commissioners appointed by the Legislatures of the two States, agreeably to the order of the late King *George* the Second, in Council, that line, and that only, should be esteemed the Southern boundary of this State, as follows: *that is to say*, beginning on the sea side, at a cedar stake, at or near the mouth of *Little River*, being the southern extremity of *Brunswick* county, and running from thence, a north-west course through the boundary house, which stands in thirty-three degrees fifty-six minutes, to thirty-five degrees north Latitude; and from thence a west course, so far as is mentioned in the charter of King *Charles* the Second, to the late proprietors of *Carolina*. Therefore, all the territories, seas, waters, and harbors, with their appurtenances, lying between the line above described, and the Southern line of the State of *Virginia*, which begins on the sea shore in thirty-six degrees thirty minutes north latitude, and from thence runs west, agreeably to the said charter of King *Charles*, are the right and property of the people of this State, to be held by them in sovereignty, any partial line without the consent of the Legislature of this State, at any time thereafter directed or laid out, in any wise, notwithstanding. *Provided always*, That this declaration of right shall not prejudice any nation or nations of *Indians*, from enjoying

such hunting grounds as may have been, or hereafter shall be secured to them by any former or future Legislature of this State. *And provided also*, That it shall not be construed so as to prevent the establishment of one or more Governments westward of this State, by consent of the Legislature. *And provided further*, That nothing herein contained, shall affect the titles or possessions of individuals, holding or claiming, under the laws heretofore in force, or grants heretofore made by the late King *George* the Third, or his predecessors, or the late Lords Proprietors or any of them.

December the 17th day, A. D. 1776; read the third time, and ratified in open Congress.

R. CASWELL, *President.*

JAMES GREEN, JR. *Secretary.*

THE CONSTITUTION OF NORTH CAROLINA.

The Constitution or form of Government, agreed to and resolved upon by the Representatives of the freemen of the State of North Carolina, elected and chosen for that particular purpose, in Congress assembled, at Halifax, the eighteenth day of December, in the year of our Lord one thousand seven hundred and seventy-six.

WHEREAS allegiance and protection are in their nature reciprocal, and the one should of right be refused when the other is withdrawn. And whereas *George* the third, King of *Great Britain*, and late Sovereign of the *British American* Colonies, hath not only withdrawn from them his protection, but by an act of the *British* Legislature declared the inhabitants of these States out of the protection of the *British* Crown, and all their property found upon the high seas liable to be seized and confiscated to the uses mentioned in the said act. And the said *George* the third has also sent fleets and armies to prosecute a cruel war against them, for the purpose of reducing the inhabitants of the said colonies to a state of abject slavery. In consequence whereof, all government under the said King, within the said colonies, hath ceased, and a total dissolution of government in many of them hath taken place. And whereas the Continental Congress having considered the premises, and other previous violations of the rights of the good people of *America*, have therefore declared that the Thirteen United Colonies are, of right, wholly absolved from all allegiance to the *British* Crown, or any other foreign jurisdiction whatsoever, and that the said colonies now are and forever shall be free and independent States: Wherefore, in our present state, in order to prevent anarchy and confusion, it becomes necessary that a government should be established in the State: Therefore, We the Representatives of the Freemen of *North Carolina*, chosen and assembled in Congress for the express purpose of framing a Constitution, under the authority of the people, most conducive to their happiness and prosperity, do declare that a Government for this State shall be established in manner and form following, to wit:

Section 1. That the Legislative authority shall be vested in two distinct branches, both dependent on the people, to wit: a Senate and House of Commons.

Sec. 2 That the Senate shall be composed of Representatives [annually*] chosen by ballot, one from each [county] in this State.

Sec. 3. That the House of Commons shall be composed of Representatives [annually] chosen by ballot, [two for each county, and one for each of the towns of Edenton, Newbern, Wilmington, Salisbury, Hillsborough and Halifax.]

Sec. 4. That the Senate and House of Commons, assembled for the purpose of legislation, shall be denominated the General Assembly.

Sec. 5. That each member of the Senate shall have usually resided in the [county] in which he is chosen, for one year immediately preceding his election; and for the same time shall have possessed, and continue to possess, in the [county] which he represents, not less than three hundred acres of land in fee.

Sec. 6. That each member of the House of Commons shall have usually resided in the [county] in which he is chosen, for one year immediately preceding his election, and for six months shall have possessed, and continue to possess, in the [county] which he represents, not less than one hundred acres of land in fee, or for the term of his own life.

Sec. 7. That all [freemen] of the age of twenty-one years, who have been inhabitants of any one [county] within the State twelve months immediately preceding the day of any election, and possessed of a freehold within the same [county] of fifty acres of land for six months next before and at the day of election, shall be entitled to vote for a member of the Senate.

Sec. 8. That all [freemen] of the age of twenty-one years, who have been inhabitants of any [county] within this State twelve months immediately preceding the day of any election, and shall have paid public taxes, shall be entitled to vote for members of the House of Commons for the county in which he resides.

Sec. 9. [That all persons possessed of a freehold in any Town in this State, having a right of representation, and also all freemen who have been inhabitants of any such town twelve months next before and at the day of election, and shall have paid public taxes, shall be entitled to vote for a member to represent such Town in the House of Commons. Provided always, That this section shall not entitle any inhabitant of such Town to vote for members of the House of Commons for the county in which he may reside, nor any freeholder in such county, who resides without or beyond the limits of such town, to vote for a member for said Town.]

* Those parts in which material amendments have been made, are printed in crotchets. []

Sec. 10. That the Senate and House of Commons, when met, shall each have power to choose a Speaker and other their officers, be judges of the qualifications and elections of their members, sit upon their own adjournments from day to day, and prepare bills to be passed into laws. The two Houses shall direct writs of elections for supplying intermediate vacancies, and shall also jointly, by ballot, adjourn themselves to any future day and place.

Sec. 11. That all bills shall be read three times in each House before they pass into laws, and be signed by the Speakers of both Houses.

Sec. 12. That every person who shall be chosen a member of the Senate or House of Commons, or appointed to any office or place of trust, before taking his seat, or entering upon the execution of his office, shall take an oath to the State; and all officers shall also take an oath of office.

Sec. 13. That the General Assembly shall, by joint ballot of both Houses, appoint Judges of the Supreme Courts of Law and Equity, Judges of Admiralty, and [Attorney General] who shall be commissioned by the Governor, and hold their offices during good behavior.

Sec. 14. [That the Senate and House of Commons shall have power to appoint the Generals and Field Officers of the Militia, and all officers of the Regular Army of this State.]

Sec. 15. [That the Senate and House of Commons jointly, at their first meeting after each annual election, shall by ballot elect a Governor for one year, who shall not be eligible to that office longer than three years in six successive years.] That no person under thirty years of age, and who has not been a resident in this State above five years, and having in the State a freehold in lands and tenements above the value of one thousand pounds, shall be eligible as Governor.

Sec. 16. That the Senate and House of Commons jointly, at their first meeting after each [annual] election, shall by ballot elect seven persons to be a Council of State for [one year] who shall advise the Governor in the execution of his office; and that four members shall be a quorum; their advice and proceedings shall be entered in a Journal to be kept for that purpose only, and signed by the members present; to any part of which any member present may enter his dissent; and such Journal shall be laid before the General Assembly when called for by them.

Sec. 17. That there shall be a seal of this State, which shall be kept by the Governor, and used by him as occasion may require, and

shall be called the Great Seal of the State of North Carolina, and be affixed to all grants and Commissions.

Sec. 18. That the Governor for the time being, shall be Captain General and Commander in Chief of the Militia; and in the recess of the General Assembly, shall have power, by and with the advice of the Council of State, to embody the militia for the public safety.

Sec. 19. That the Governor for the time being, shall have power to draw for and apply such sums of money as shall be voted by the General Assembly for the contingencies of Government, and be accountable to them for the same; he also may, by and with the advice of the Council of State, lay embargoes, or prohibit the exportation of any commodity, for any term not exceeding thirty days at any one time, in the recess of the General Assembly, and shall have the power of granting pardons and reprieves, except where the prosecution shall be carried on by the General Assembly, or the law shall otherwise direct; in which case he may, in the recess, grant a reprieve until the next sitting of the General Assembly; and may exercise all the other executive powers of Government, limited and restrained as by this constitution is mentioned, and according to the laws of the State; and on his death, inability, or absence from the State, the Speaker of the Senate for the time being, and in case of his death, inability, or absence from the State, the Speaker of the House of Commons shall exercise the powers of the Governor, after such death, or during such absence or inability of the Governor or Speaker of the Senate, [or until a new nomination is made by the General Assembly.]

Sec. 20. That in every case where any officer, the right of whose appointment is, by this Constitution vested in the General Assembly, shall, during their recess, die, or his office by other means become vacant, the Governor shall have power with the advice of the Council of State, to fill up such vacancy by granting a temporary commission, which shall expire at the end of the next session of the General Assembly.

Sec. 21. That the Governor, Judges of the Supreme Courts of Law and Equity, Judges of Admiralty and Attorney General, shall have adequate salaries during their continuance in office.

Sec. 22. That the General Assembly shall, by joint ballot of both Houses, [annually] appoint a Treasurer or Treasurers for this State.

Sec. 23. That the Governor and other officers offending against the State, by violating any part of this Constitution, mal-administration or corruption, may be prosecuted on the impeachment of the

General Assembly, or presentment of the Grand Jury of any Court of Supreme Jurisdiction in this State.

Sec. 24. That the General Assembly shall, by joint ballot of both Houses, [triennially] appoint a Secretary for this State.

Sec. 25. That no persons who heretofore have been or hereafter may be, receivers of the public moneys, shall have a seat in either House of the General Assembly, or be eligible to any office in this State, until such person shall have fully accounted for and paid into the Treasury, all sums for which they may be accountable and liable.

Sec. 26. That no Treasurer shall have a seat in either the Senate, House of Commons, or Council of State, during his continuance in that office, or before he shall have finally settled his accounts with the public, for all moneys which may be in his hands, at the expiration of his office, belonging to the State, and hath paid the same into the hands of the succeeding Treasurer.

Sec. 27. That no officer in the Regular Army or Navy, in the service and pay of the United States, of this or any other State, or any contractor or agent for supplying such Army or Navy with clothing or provisions, shall have a seat in either the Senate, House of Commons, or Council of State, or be eligible thereto; and any member of the Senate, House of Commons, or Council of State, being appointed to and accepting of such office, shall thereby vacate his seat.

Sec. 28. That no member of the Council of State shall have a seat either in the Senate or House of Commons.

Sec. 29. That no Judge of the Supreme Court of Law or Equity, or Judge of Admiralty, shall have a seat in the Senate, House of Commons, or Council of State.

Sec. 30. That no Secretary of this State, Attorney General or Clerk of any Court of Record, shall have a seat in the Senate, House of Commons, or Council of State.

Sec. 31. That no Clergyman, or Preacher of the Gospel, of any denomination, shall be capable of being a member of either the Senate, House of Commons, or Council of State, while he continues in the exercise of the Pastoral function.

Sec. 32. That no person who shall deny the being of God, or the truth of the [Protestant] Religion, or the divine authority either of the Old or New Testament, or who shall hold Religious principles incompatible with the freedom and safety of the State, shall be capable of holding any office or place of trust or profit in the Civil department within this State.

Sec. 33. That the Justices of the Peace, within the respective coun-

ties in this State, shall in future be recommended to the Governor for the time being by the Representatives in General Assembly, and the Governor shall commission them accordingly: And the Justices, when so commissioned, shall hold their offices during good behavior, and shall not be removed from office by the General Assembly unless for misbehavior, absence or inability.

Sec. 34. That there shall be no establishment of any one Religious Church or denomination in this State in preference to any other; neither shall any person, on any pretence whatsoever, be compelled to attend any place of worship, contrary to his own faith or judgment; nor be obliged to pay for the purchase of any glebe, or the building of any house of worship, or for the maintenance of any minister or ministry, contrary to what he believes right, or has voluntarily and personally engaged to perform; but all persons shall be at liberty to exercise their own mode of worship: *Provided*, that nothing herein contained shall be construed to exempt preachers of treasonable or seditious discourses from legal trial and punishment.

Sec. 35. That no person in the State shall hold more than one lucrative office at any one time. *Provided*, That no appointment in the Militia or to the office of a Justice of the Peace, shall be considered as a lucrative office.

Sec. 36. That all Commissions and Grants shall run in the name of the State of North Carolina, and bear test and be signed by the Governor. All writs shall run in the same manner, and bear test and be signed by the Clerks of the respective Courts. Indictments shall conclude, against the peace and dignity of the State.

Sec. 37. That the Delegates for this State to the Continental Congress, while necessary, shall be chosen annually by the General Assembly, by ballot, but may be superseded in the mean time, in the same manner: and no person shall be elected to serve in that capacity for more than three years successively.

Sec. 38. That there shall be a Sheriff, Coroner or Coroners, and Constables in each county within this State.

Sec. 39. That the person of a debtor, where there is not a strong presumption of fraud, shall not be continued in prison after delivering up, *bona fide*, all his estate, real and personal, for the use of his creditors, in such manner as shall be hereafter regulated by law.— All prisoners shall be bailable by sufficient sureties, unless for capital offences, when the proof is evident, or presumption great.

Sec. 40. That every foreigner, who comes to settle in this State, having first taken an oath of allegiance to the same, may purchase,

or by other just means acquire, hold and transfer land or other real estate; and after one year's residence, shall be deemed a free citizen.

Sec. 41. That a school or schools shall be established by the Legislature for the convenient instruction of youth, with such salaries to the masters, paid by the public, as may enable them to instruct at low prices; and all useful learning shall be duly encouraged and promoted in one or more Universities.

Sec. 42. That no purchase of lands shall be made of the Indian natives, but on behalf of the public, by authority of the General Assembly.

Sec. 43. That the future Legislature of this State shall regulate entails in such a manner as to prevent perpetuities.

Sec. 44. That the declaration of rights is hereby declared to be part of the Constitution of this State, and ought never to be violated on any pretence whatever.

Sec. 45. That any member of either House of the General Assembly shall have liberty to dissent from, and protest against, any act or resolve which he may think injurious to the public or any individual, and have the reasons of his dissent entered on the Journals.

Sec. 46. That neither House of the General Assembly shall proceed upon public business, unless a majority of all the members of such House are actually present, and that upon a motion made and seconded, the Yeas and Nays upon any question shall be taken, and entered on the Journals; and that the Journals of the Proceedings of both Houses of the General Assembly shall be printed and made public, immediately after their adjournment.

This Constitution is not intended to preclude the present Congress from making a temporary provision for the well ordering of this State, until the General Assembly shall establish Government agreeable to the mode herein before prescribed.

*December the 18th, 1776, read the third time and ratified
in open Congress.*

R. CASWELL, *President.*

JAMES GREEN, JUN., *Secretary.*

AMENDMENTS.

WHEREAS the General Assembly of North Carolina, by an act, passed the sixth day of January, one thousand eight hundred and thirty-five, entitled "An act concerning a Convention to amend the Constitution of the State," and by an act, supplemental thereto, passed on the eighth day of January, one thousand eight hundred and thirty-five, did direct that polls should be opened in every election precinct throughout the State, for the purpose of ascertaining whether it was the will of the freemen of North Carolina that there should be a Convention of Delegates, to consider of certain amendments proposed to be made in the Constitution of said State; and did further direct, that, if a majority of all the votes polled by the freemen of North Carolina should be in favor of holding such Convention, the Governor should, by Proclamation, announce the fact, and thereupon the freemen aforesaid should elect delegates to meet in Convention at the City of Raleigh, on the first Thursday in June, one thousand eight hundred and thirty-five, to consider of the said amendments: And whereas a majority of the freemen of North Carolina did, by their votes at the polls so opened, declare their will that a Convention should be had to consider of the amendments proposed, and the Governor did, by Proclamation, announce the fact that their will had been so declared, and an election for delegates to meet in Convention as aforesaid was accordingly had: Now, therefore, we the delegates of the good people of North Carolina, having assembled in Convention, at the city of Raleigh, on the first Thursday in June, one thousand eight hundred and thirty-five, and having continued in session from day to day, until the eleventh of July, one thousand eight hundred and thirty-five, for the more deliberate consideration of said amendments, do now submit to the determination of all the qualified voters of the State, the following amendments in the Constitution thereof, that is to say:

ARTICLE I.

SECTION I.

1. The Senate of this State shall consist of fifty Representatives, biennially chosen by ballot, and to be elected by districts; which districts shall be laid off by the General Assembly, at its first session

after the year one thousand eight hundred and forty-one; and afterwards, at its first session after the year one thousand eight hundred and fifty-one; and then every twenty years thereafter, in proportion to the public taxes paid into the Treasury of the State by the citizens thereof; and the average of the public taxes paid by each county into the Treasury of the State, for the five years preceding the laying off of the districts, shall be considered as its proportion of the public taxes, and constitute the basis of apportionment: *Provided*, That no county shall be divided in the formation of a Senatorial District.— And when there are one or more counties, having an excess of taxation above the ratio to form a Senatorial district, adjoining a county or counties deficient in such ratio, the excess or excesses aforesaid shall be added to the taxation of the county or counties deficient; and if, with such addition, the county or counties receiving it shall have the requisite ratio, such county and counties each shall constitute a Senatorial district.

2. The House of Commons shall be composed of one hundred and twenty Representatives, biennially chosen by ballot, to be elected by counties according to their federal population, that is, according to their respective numbers, which shall be determined by adding to the whole number of free persons, including those bound to service for a term of years, and excluding Indians not taxed, three-fifths of all other persons; and each county shall have at least one member in the House of Commons, although it may not contain the requisite ratio of population.

3. This apportionment shall be made by the General Assembly, at the respective times and periods when the districts for the Senate are herein before directed to be laid off; and the said apportionment shall be made according to an enumeration to be ordered by the General Assembly, or according to the Census which may be taken by order of Congress, next preceding the period of making such apportionment.

4. In making the apportionment in the House of Commons, the ratio of representation shall be ascertained by dividing the amount of Federal population of the State, after deducting that comprehended within those counties which do not severally contain the one hundred and twentieth part of the entire Federal population aforesaid, by the number of Representatives less than the number assigned to the said counties. To each county containing the said ratio, and not twice the said ratio, there shall be assigned one representative; to each county containing twice, but not three times the said ratio, there

shall be assigned two Representatives, and so on progressively, and then the remaining Representatives shall be assigned severally to the counties having the largest fractions.

SECTION II.

1. Until the first Session of the General Assembly which shall be had after the year eighteen hundred and forty-one, the Senate shall be composed of members to be elected from the several districts herein after named, that is to say, the 1st district shall consist of the counties of Perquimons and Pasquotank; the 2d district, of Camden and Currituck; the 3d district, of Gates and Chowan; the 4th district, Washington and Tyrell; the 5th district, Northampton; the 6th district, Hertford; the 7th district, Bertie; the 8th district, Martin; the 9th district, Halifax; the 10th district, Nash; the 11th district, Wake; the 12th district, Franklin; the 13th district, Johnston; the 14th district, Warren; the 15th district, Edgecomb; the 16th district, Wayne; the 17th district, Greene and Lenoir; the 18th district, Pitt; the 19th district, Beaufort and Hyde; the 20th district, Carteret and Jones; the 21st district, Craven; the 22d district, Chatham; the 23d district, Granville; the 24th district, Person; the 25th district, Cumberland; the 26th district, Sampson; the 27th district, New Hanover; the 28th district, Duplin; the 29th district, Onslow; the 30th district, Brunswick, Bladen and Columbus; the 31st district, Robeson and Richmond; the 32d district, Anson; the 33d district, Cabarrus; the 34th district, Moore and Montgomery; the 35th district, Caswell; the 36th district, Rockingham; the 37th district, Orange; the 38th district, Randolph; the 39th district, Guilford; the 40th district, Stokes; the 41st district, Rowan; the 42d district, Davidson; the 43d district, Surry; the 44th district, Wilkes and Ashe; the 45th district, Burke and Yancy; the 46th district, Lincoln; the 47th district, Iredell; the 48th district, Rutherford; the 49th district, Buncombe, Haywood and Macon; and the 50th district, Mecklenburg; each district to be entitled to one Senator.

2. Until the first session of the General Assembly after the year eighteen hundred and forty-one, the House of Commons shall be composed of members elected from the counties in the following manner, viz: The counties of Lincoln and Orange shall elect four members each. The counties of Burke, Chatham, Granville, Guilford, Halifax, Iredell, Mecklenburg, Rowan, Rutherford, Surry, Stokes, and Wake shall elect three members each. The counties of Anson, Beaufort, Bertie, Buncombe, Cumberland, Craven, Caswell, Davidson,

Duplin, Edgecomb, Franklin, Johnston, Montgomery, New Hanover, Northampton, Person, Pitt, Randolph, Robeson, Richmond, Rockingham, Sampson, Warren, Wayne and Wilkes shall elect two members each. The counties of Ashe, Bladen, Brunswick, Camden, Columbus, Chowan, Currituck, Carteret, Cabarrus, Gates, Greene, Haywood, Hertford, Hyde, Jones, Lenoir, Macon, Moore, Martin, Nash, Onslow, Pasquotank, Perquimons, Tyrrell, Washington and Yancy shall elect one member each.

SECTION III.

1. Each member of the Senate shall have usually resided in the district for which he is chosen for one year immediately preceding his election, and for the same time shall have possessed and continue to possess in the district which he represents not less than three hundred acres of land in fee.

2. All freemen of the age of twenty-one years, (except as is hereinafter declared) who have been inhabitants of any one district within the State twelve months immediately preceding the day of any election, and possessed of a freehold within the same district of fifty acres of land for six months next before and at the day of election, shall be entitled to vote for a member of the Senate.

3. No free negro, free mulatto, or free person of mixed blood, descended from negro ancestors to the fourth generation inclusive (though one ancestor of each generation may have been a white person,) shall vote for members of the Senate or House of Commons.

SECTION IV.

1. In the election of all officers whose appointment is conferred on the General Assembly by the Constitution, the vote shall be *viva voce*.

2. The General Assembly shall have power to pass laws regulating the mode of appointing and removing Militia Officers.

3. The General Assembly shall have power to pass general laws regulating divorce and alimony, but shall not have power to grant a divorce or secure alimony in any individual case.

4. The General Assembly shall not have power to pass any private law, to alter the name of any person, or to legitimate any persons not born in lawful wedlock, or to restore to the rights of citizenship any person convicted of an infamous crime; but shall have power to pass general laws regulating the same.

5. The General Assembly shall not pass any private law, unless

it shall be made to appear that thirty days notice of application to pass such law shall have been given, under such directions and in such manner as shall be provided by law.

6. If vacancies shall occur by death, resignation or otherwise, before the meeting of the General Assembly, writs may be issued by the Governor, under such regulations as may be prescribed by law.

7. The General Assembly shall meet biennially, and at each biennial session shall elect, by joint vote of the two Houses, a Secretary of State, Treasurer and Council of State, who shall continue in office for the term of two years.

ARTICLE II.

1. The Governor shall be chosen by the qualified voters for the members of the House of Commons, at such time and places as members of the General Assembly are elected.

2. He shall hold his office for the term of two years from the time of his installation, and until another shall be elected and qualified; but he shall not be eligible more than four years in any term of six years.

3. The returns of every election for Governor shall be sealed up and transmitted to the seat of Government, by the returning officers, directed to the Speaker of the Senate, who shall open and publish them in the presence of a majority of the members of both Houses of the General Assembly. The person having the highest number of votes, shall be Governor; but if two or more shall be equal and highest in votes, one of them shall be chosen Governor by joint vote of both Houses of the General Assembly.

4. Contested elections for Governor shall be determined by both Houses of the General Assembly, in such manner as shall be prescribed by law.

5. The Governor elect shall enter on the duties of the office on the first day of January next after his election, having previously taken the oaths of office in presence of the members of both branches of the General Assembly, or before the Chief Justice of the Supreme Court, who, in case the Governor elect should be prevented from attendance before the General Assembly, by sickness or other unavoidable cause, is authorised to administer the same.

ARTICLE III.

SECTION I.

1. The Governor, Judges of the Supreme Court and Judges of the Superior Courts, and all other officers of this State, (except Jus-

tices of the Peace and Militia officers,) may be impeached for wilfully violating any Article of the Constitution, mal-administration or corruption.

2. Judgment, in cases of impeachment, shall not extend further than to removal from office and disqualification to hold and enjoy any office of honor, trust or profit under this State; but the party convicted, may, nevertheless, be liable to indictment, trial, judgment and punishment according to law.

3. The House of Commons shall have the sole power of impeachment. The Senate shall have the sole power to try all impeachments; no person shall be convicted upon any impeachment, unless two-thirds of the Senators present shall concur in such conviction; and before the trial of any impeachment, the members of the Senate shall take an oath or affirmation, truly and impartially to try and determine the charge in question according to evidence.

SECTION II.

1. Any Judge of the Supreme Court, or of the Superior Courts, may be removed from office for mental or physical inability, upon a concurrent resolution of two-thirds of both branches of the General Assembly. The Judge against whom the Legislature may be about to proceed, shall receive notice thereof, accompanied by a copy of the causes alleged for his removal, at least twenty days before the day on which either branch of the General Assembly shall act thereon.

2. The salaries of the Judges of the Supreme Court, or of the Superior Courts, shall not be diminished during their continuance in office.

SECTION III.

Upon the conviction of any Justice of the Peace, of any infamous crime, or of corruption and mal-practice in office, the commission of such Justice shall be thereby vacated, and he shall be forever disqualified from holding such appointment.

SECTION IV.

The General Assembly, at its first session after the year one thousand eight hundred and thirty-nine, and from time to time thereafter, shall appoint an Attorney General, who shall be commissioned by the Governor, and shall hold his office for the term of four years; but if the General Assembly should hereafter extend the term during which Solicitors of the State shall hold their offices, then they shall

have power to extend the term of office of the Attorney General to the same period.

ARTICLE IV.

SECTION I.

1. No Convention of the People shall be called by the General Assembly, unless by the concurrence of two-thirds of all the members of each House of the General Assembly.

2. No part of the Constitution of this State shall be altered, unless a Bill to alter the same shall have been read three times in each House of the General Assembly, and agreed to by three-fifths of the whole number of members of each House respectively; nor shall any alteration take place until the Bill so agreed to shall have been published six months previous to a new election of members to the General Assembly. If, after such publication, the alteration proposed by the preceding General Assembly, shall be agreed to in the first session thereafter by two thirds of the whole representation in each House of the General Assembly, after the same shall have been read three times on three several days in each House, then the said General Assembly shall prescribe a mode by which the amendment or Amendments may be submitted to the qualified voters of the House of Commons throughout the State; and if, upon comparing the votes given in the whole State, it shall appear that a majority of the voters have approved thereof, then, and not otherwise, the same shall become a part of the Constitution.

SECTION II.

The thirty-second section of the Constitution shall be amended to read as follows: No person who shall deny the being of God, or the truth of the Christian Religion, or the divine authority of the Old or New Testament, or who shall hold religious principles incompatible with the freedom or safety of the State, shall be capable of holding any office or place of trust or profit in the civil department within this State.

SECTION III.

1. Capitation tax shall be equal throughout the State upon all individuals subject to the same.

2. All free males over the age of twenty-one years, and under the age of forty-five years, and all slaves over the age of twelve years, and under the age of fifty years, shall be subject to Capitation tax, and no other person shall be subject to such tax; provided that nothing herein contained shall prevent exemptions of taxable polls as heretofore prescribed by law in cases of bodily infirmity.

SECTION IV.

No person who shall hold any office or place of trust or profit under the United States, or any department thereof, or under this State, or any other State or Government, shall hold or exercise any other office or place of trust or profit under the authority of this State, or be eligible to a seat in either House of the General Assembly: Provided, that nothing herein contained shall extend to officers in the Militia or Justices of the Peace.

Ratified in Convention, this eleventh day of July, in the year of our Lord one thousand eight hundred and thirty five.

NATHANIEL MACON, *President.*

EDMUND B. FREEMAN, *Secretary of the Convention.*

JOSEPH D. WARD, *Assistant Secretary.*

AN ORDINANCE

TO CARRY INTO EFFECT THE AMENDED CONSTITUTION.

Be it ordained and declared by the Delegates to this Convention, in Convention assembled, and it is hereby ordained by the authority of the same, That the amendments to the Constitution of this State, adopted by this Convention, be submitted by the Governor to the people, on the second Monday in November next, thirty days notice having been given, and that the Polls be opened by the respective Sheriffs, and kept open for three successive days, at the several Election precincts in each and every county in the State, under the same rules and regulations as now exist for the election of Members to the General Assembly. That the said Sheriffs be required to compare and certify the results of the elections, on or before the Monday following, and transmit the same in twenty days thereafter, to the Governor of the State. That all persons qualified to vote for members of the House of Commons, may vote for or against a ratification of the amendments. Those who wish a ratification of the Amendments, voting with a printed or written Ticket, "*Ratification*,"—those of a contrary opinion, "*Rejection*."

Further, That it shall be the duty of the Sheriffs to make duplicate statements of the polls in their respective counties, sworn to before the Clerk of the County Court; one copy of which shall be deposited in said Clerk's Office, and the other copy transmitted to the Governor of the State, at Raleigh.

Be it further ordained by the authority of the same, That when the returns aforesaid shall have been received, the same shall be opened by the Governor in the presence of the Secretary of State and Treasurer; and in case a majority of the votes polled shall be in favor of a ratification of the amendments, the same shall be forthwith made known by a Proclamation of the Governor to the people of the State. And thereupon, the Governor shall cause to be endorsed on the amendments, as enrolled by order of the Convention, or shall annex thereunto, a certificate under his signature declaring that the said amendments have been ratified by the people of North Carolina; and the Secretary of State shall countersign the said certificate, and annex thereto the Great Seal of the State; and the said amendments so enrolled with the certificate aforesaid shall be forever kept among the archives of the State in the Office of the Secretary aforesaid.

Be it further ordained by the authority aforesaid, That the amendments thus ratified shall take effect, and be in force, from and after the first day of January, A. D. one thousand eight hundred and thirty-six: Provided, however, that the Governor, the Council of State, the Secretary of State and the Public Treasurer, who may then be in office, shall severally continue to exercise their respective functions until the Governor, Council of State, Secretary of State and Public Treasurer, appointed under the amended Constitution, shall enter upon the duties of their office.

Ratified in Convention, this eleventh day of July, A. D. one thousand eight hundred and thirty-five.

NATHANIEL MACON, *President.*

EDMUND B. FREEMAN, *Secretary of the Convention.*

JOSEPH D. WARD, *Assistant Secretary.*

CONSTITUTION OF THE UNITED STATES.

WE, the people of the United States, in order to form a more perfect union, establish justice, insure domestic tranquillity, provide for the common defence, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America.

ARTICLE I.

SECTION I.

All legislative powers herein granted, shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

SECTION II.

1. The House of Representatives shall be composed of members chosen every second year by the people of the several States; and the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State Legislature.

2. No person shall be a Representative who shall not have attained to the age of twenty-five years, and been seven years a citizen of the United States, and who shall not, when elected, be an inhabitant of that State in which he shall be chosen.

3. Representatives and direct taxes shall be apportioned among the several States which may be included within this Union, according to their respective numbers; which shall be determined by adding to the whole number of free persons, (including those bound to service for a term of years, and excluding Indians not taxed,) three-fifths of all other persons. The actual enumeration shall be made within three years after the first meeting of the Congress of the United States, and within every subsequent term of ten years, in such manner as they shall by law direct. The number of Representatives shall not exceed one for every thirty thousand; but each State shall have at least one Representative: And until such enumeration shall be made, the State of New Hampshire shall be entitled to choose three, Massachusetts eight, Rhode Island and Providence Plantations one, Connecticut five, New York six, New Jersey four, Pennsylvania eight, Delaware one, Maryland six, Virginia ten, North Carolina five, South Carolina five, and Georgia three.

4. When vacancies happen in the representation from any State, the executive authority thereof shall issue writs of election to fill such vacancies.

5. The House of Representatives shall choose their Speaker and other officers, and shall have the sole power of impeachment.

SECTION III.

1. The Senate of the United States shall be composed of two Senators from each State, chosen by the Legislature thereof, for six years; and each Senator shall have one vote.

2. Immediately after they shall be assembled, in consequence of the first election, they shall be divided, as equally as may be, into three classes. The seats of the Senators of the first class shall be vacated at the expiration of the second year; of the second class, at the expiration of the fourth year; and of the third class at the expiration of the sixth year; so that one third may be chosen every second year. And if vacancies happen, by resignation or otherwise, during the recess of the Legislature of any State, the executive thereof may make temporary appointments, until the next meeting of the Legislature, which shall then fill such vacancies.

3. No person shall be a Senator, who shall not have attained to the age of thirty years, and been nine years a citizen of the United States, and who shall not, when elected, be an inhabitant of that State for which he shall be chosen.

4. The Vice President of the United States shall be President of the Senate; but shall have no vote, unless they be equally divided.

5. The Senate shall choose their other officers, and also a President pro tempore, in the absence of the Vice President, or when he shall exercise the office of President of the United States.

6. The Senate shall have the sole power to try all impeachments. When sitting for that purpose, they shall be on oath or affirmation. When the President of the United States is tried, the Chief Justice shall preside: And no person shall be convicted without the concurrence of two-thirds of the members present.

7. Judgment in cases of impeachment, shall not extend further than to removal from office, and disqualification to hold and enjoy any office of honor, trust, or profit, under the United States; but the party convicted shall nevertheless be liable and subject to indictment, trial, judgment, and punishment, according to law.

SECTION IV.

1. The times, places and manner of holding elections for Senators and Representatives, shall be prescribed in each State by the

Legislature thereof; but the Congress may, at any time, by law, make or alter such regulations, except as to the places of choosing Senators.

2. The Congress shall assemble at least once in every year, and such meeting shall be on the first Monday in December, unless they shall by law appoint a different day.

SECTION V.

1. Each House shall be the judge of the elections, returns, and qualifications of its own members; and a majority of each shall constitute a quorum to do business; but a smaller number may adjourn from day to day, and may be authorized to compel the attendance of absent members, in such manner, and under such penalties, as each House may provide.

2. Each House may determine the rules of its proceedings, punish its members for disorderly behaviour, and, with the concurrence of two thirds, expel a member.

3. Each House shall keep a Journal of its proceedings, and from time to time publish the same, excepting such parts as may, in their judgment, require secrecy; and the yeas and nays of the members of either House, on any question, shall, at the desire of one-fifth of those present, be entered on the Journal.

4. Neither House, during the session of Congress, shall, without the consent of the other, adjourn for more than three days, nor to any other place than that in which the two Houses shall be sitting.

SECTION VI.

1. The Senators and Representatives shall receive a compensation for their services, to be ascertained by law, and paid out of the Treasury of the United States. They shall, in all cases except treason, felony, and breach of the peace, be privileged from arrest, during their attendance at the session of their respective Houses, and in going to and returning from the same; and for any speech or debate in either House, they shall not be questioned in any other place.

2. No Senator or Representative shall, during the time for which he was elected, be appointed to any civil office under the authority of the United States, which shall have been created, or the emoluments whereof shall have been increased, during such time: and no person holding any office under the United States, shall be a member of either House, during his continuance in office.

SECTION VII.

1. All bills for raising revenue, shall originate in the House of

Representatives; but the Senate may propose, or concur with amendments, as on other bills.

2. Every bill which shall have passed the House of Representatives and the Senate, shall, before it become a law, be presented to the President of the United States. If he approve, he shall sign it; but if not, he shall return it, with his objections, to that House in which it shall have originated, who shall enter the objections at large on their Journal, and proceed to re-consider it. If, after such re-consideration, two thirds of that House shall agree to pass the bill, it shall be sent, together with the objections, to the other House; by which it shall likewise be re-considered, and, if approved by two-thirds of that House, it shall become a law. But in all such cases the votes of both Houses shall be determined by yeas and nays, and the names of the persons voting for and against the bill, shall be entered on the Journal of each House respectively. If any bill shall not be returned by the President within ten days (Sundays excepted) after it shall have been presented to him, the same shall be a law, in like manner as if he had signed it, unless the Congress, by their adjournment, prevent its return; in which case it shall not be a law.

3. Every order, resolution, or vote, to which the concurrence of the Senate and House of Representatives may be necessary, (except on a question of adjournment,) shall be presented to the President of the United States, and before the same shall take effect, shall be approved by him, or being disapproved by him, shall be re-passed by two-thirds of the Senate and House of Representatives, according to the rules and limitations prescribed in the case of a bill.

SECTION VIII.

1. The Congress shall have power to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defence and general welfare of the United States; but all duties, imposts, and excises shall be uniform throughout the United States;

2. To borrow money on the credit of the United States;

3. To regulate commerce with foreign nations, and among the several States, and with the Indian tribes;

4. To establish an uniform rule of naturalization, and uniform laws on the subject of bankruptcies throughout the United States;

5. To coin money, regulate the value thereof, and of foreign coin, and fix the standard of weights and measures;

6. To provide for the punishment of counterfeiting the securities and current coin of the United States;

7. To establish post offices and post roads;

8. To promote the progress of science and useful arts, by securing, for limited times, to authors and inventors the exclusive right to their respective writings and discoveries;

9. To constitute tribunals inferior to the Supreme Court, to define and punish piracies and felonies committed on the high seas, and offences against the law of nations;

10. To declare war, grant letters of marque and reprisal, and make rules concerning captures on land and water;

11. To raise and support armies; but no appropriation of money to that use shall be for a longer term than two years;

12. To provide and maintain a navy;

13. To make rules for the government and regulation of the land and naval forces;

14. To provide for calling forth the militia to execute the laws of the Union, suppress insurrections, and repel invasions;

15. To provide for organizing, arming, and disciplining the militia, and for governing such part of them as may be employed in the service of the United States, reserving to the States respectively, the appointment of the officers, and the authority of training the militia according to the discipline prescribed by Congress;

16. To exercise exclusive legislation, in all cases whatsoever, over such district, (not exceeding ten miles square,) as may, by cession of particular States and the acceptance of Congress, become the seat of the Government of the United States; and to exercise like authority over all places purchased by the consent of the Legislature of the State in which the same shall be, for the erection of forts, magazines, arsenals, dock yards, and other needful buildings; and

17. To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested, by this Constitution, in the government of the United States, or in any department or officer thereof.

SECTION IX.

1. The migration or importation of such persons as any of the States now existing shall think proper to admit, shall not be prohibited by the Congress prior to the year one thousand eight hundred and eight; but a tax or duty may be imposed on such importation, not exceeding ten dollars for each person.

2. The privilege of the writ of *habeas corpus* shall not be suspended, unless when, in cases of rebellion or invasion, the public safety may require it.

3. No bill of attainder or *ex post facto* law shall be passed.

4. No capitation, or other direct tax, shall be laid, unless in proportion to the census or enumeration herein before directed to be taken.

5. No tax or duty shall be laid on articles exported from any State. No preference shall be given by any regulation of commerce or revenue to the ports of one State over those of another; nor shall vessels bound to or from one State, be obliged to enter, clear, or pay duties in another.

6. No money shall be drawn from the Treasury, but in consequence of appropriations made by law; and a regular statement and account of the receipts and expenditures of all public money shall be published from time to time.

7. No title of nobility shall be granted by the United States, and no person holding any office of profit or trust under them, shall, without the consent of Congress, accept of any present, emolument, office, or title of any kind whatever, from any King, Prince, or Foreign State.

SECTION X.

1. No State shall enter into any treaty, alliance or confederation; grant letters of marque and reprisal; coin money, emit bills of credit; make any thing but gold and silver coin a tender in payment of debts; pass any bill of attainder, *ex post facto* law, or law impairing the obligation of contracts; or grant any title of nobility.

2. No State shall, without the consent of the Congress, lay any imposts or duties on imports or exports, except what may be absolutely necessary for executing its inspection laws; and the nett produce of all duties and imposts, laid by any State on imports or exports, shall be for the use of the Treasury of the United States; and all such laws shall be subject to the revision and control of the Congress.—No State shall, without the consent of Congress, lay any duty of tonnage, keep troops, or ships of war in time of peace, enter into any agreement or compact with another State, or with a foreign power, or engage in war, unless actually invaded, or in such imminent danger as will not admit of delay.

ARTICLE II.

SECTION I.

1. The executive power shall be vested in a President of the United States of America. He shall hold his office during the term of four years, and, together with the Vice President, chosen for the same term, be elected as follows:

2. Each State shall appoint, in such manner as the Legislature

thereof may direct, a number of electors, equal to the whole number of Senators and Representatives to which the State may be entitled in the Congress; but no Senator, or Representative, or person holding an office of trust or profit under the United States, shall be appointed an elector.

3. The electors shall meet in their respective States, and vote by ballot for two persons, of whom one at least, shall not be an inhabitant of the same State with themselves. And they shall make a list of all the persons voted for, and of the number of votes for each; which list they shall sign and certify, and transmit, sealed to the seat of government of the United States, directed to the President of the Senate. The President of the Senate shall, in the presence of the Senate and House of Representatives, open all the certificates, and the votes then shall be counted. The person having the greatest number of votes shall be the President, if such number be a majority of the whole number of electors appointed; and if there be more than one who have such majority, and have an equal number of votes, then the House of Representatives shall immediately choose by ballot one of them for President; and if no person have a majority, then from the five highest on the list, the said House shall, in like manner, choose the President; but in choosing the President the votes shall be taken by States, the representation from each State having one vote; a quorum for this purpose shall consist of a member or members from two thirds of the States; and a majority of all the States shall be necessary to a choice. In every case, after the choice of the President, the person having the greatest number of votes of the electors, shall be the Vice President. But if there should remain two or more who have equal votes, the Senate shall choose from them by ballot the Vice President.

4. The Congress may determine the time of choosing the electors, and the day on which they shall give their votes; which day shall be the same throughout the United States.

5. No person except a natural born citizen, or a citizen of the United States, at the time of the adoption of this Constitution, shall be eligible to the office of President; neither shall any person be eligible to that office who shall not have attained to the age of thirty-five years, and been fourteen years a resident within the United States.

6. In case of the removal of the President from office, or of his death, resignation, or inability to discharge the powers and duties of the said office, the same shall devolve on the Vice President, and the Congress may by law provide for the case of removal, death, resign-

nation, or inability, both of the President and Vice President, declaring what officer shall then act as President; and such officer shall act accordingly, until the disability be removed, or a President shall be elected.

7. The President shall, at stated times, receive for his services, a compensation, which shall neither be increased nor diminished during the period for which he shall have been elected, and he shall not receive within that period any other emolument from the United States, or any of them.

8. Before he enters on the execution of his office, he shall take the following oath or affirmation:

9. *"I do solemnly swear (or affirm) that I will faithfully execute the office of President of the United States, and will, to the best of my ability, preserve, protect, and defend the Constitution of the United States."*

SECTION II.

1. The President shall be commander in chief of the army and navy of the United States, and of the militia of the several States, when called into the actual service of the United States; he may require the opinion, in writing, of the principal officer in each of the executive departments, upon any subject relating to the duties of their respective offices; and he shall have power to grant reprieves and pardons for offences against the United States, except in cases of impeachment.

2. He shall have power, by and with the advice and consent of the Senate, to make treaties, provided two-thirds of the Senators present concur; and he shall nominate, and by and with the advice and consent of the Senate, shall appoint ambassadors, other public ministers and consuls, Judges of the Supreme Court, and all other officers of the United States, whose appointments are not herein otherwise provided for, and which shall be established by law. But the Congress may, by law, vest the appointment of such inferior officers, as they think proper, in the President alone, in the courts of law, or in the heads of departments.

3. The President shall have power to fill up all vacancies that may happen during the recess of the Senate, by granting commissions which shall expire at the end of their next session.

SECTION III.

He shall from time to time give to the Congress information of the state of the Union, and recommend to their consideration such mea-

asures as he shall judge necessary, and expedient; he may, on extraordinary occasions, convene both houses, or either of them, and in case of disagreement between them, with respect to the time of adjournment, he may adjourn them to such time as he shall think proper; he shall receive ambassadors and other public ministers; he shall take care that the laws be faithfully executed, and shall commission all the officers of the United States.

SECTION IV.

The President, Vice President and all civil officers of the United States, shall be removed from office on impeachment for, and conviction of, treason, bribery, or other high crimes and misdemeanors.

ARTICLE III.

SECTION I.

The judicial power of the United States shall be vested in one Supreme Court, and in such inferior Courts as the Congress may from time to time ordain and establish. The Judges both of the supreme and inferior Courts, shall hold their offices during good behavior; and shall, at stated times, receive for their services a compensation, which shall not be diminished during their continuance in office.

SECTION II.

1. The judicial power shall extend to all cases, in law and equity, arising under this Constitution, the laws of the United States, and treaties made, or which shall be made, under their authority—to all cases affecting ambassadors, other public ministers and consuls—to all cases of admiralty and maritime jurisdiction—to controversies to which the United States shall be a party—to controversies between two or more States—between a State and citizens of another State—between citizens of different States—between citizens of the same State claiming lands under grants of different States—and between a State, or the citizens thereof, and foreign States, citizens or subjects.

2. In all cases affecting ambassadors, other public ministers and consuls, and those in which a State shall be party, the Supreme Court shall have original jurisdiction. In all the other cases before mentioned, the Supreme Court shall have appellate jurisdiction, both as to law and fact; with such exceptions, and under such regulations as the Congress shall make.

3. The trial of all crimes, except in cases of impeachment, shall be by jury; and such trial shall be held in the State where the said crime shall have been committed; but when not committed within

any State, the trial shall be at such place or places as the Congress may by law have directed.

SECTION III.

1. Treason against the United States, shall consist only in levying war against them, or in adhering to their enemies, giving them aid and comfort. No person shall be convicted of treason, unless on the testimony of two witnesses to the same overt act, or on confession in open court.

2. The Congress shall have power to declare the punishment of treason, but no attainder of treason shall work corruption of blood, or forfeiture, except during the life of the person attained.

ARTICLE IV.

SECTION I.

Full faith and credit shall be given in each State of the public acts, records, and judicial proceedings of every other State. And the Congress may by general laws prescribe the manner in which such acts, records and proceedings shall be proved, and the effect thereof.

SECTION II.

1. The citizens of each State shall be entitled to all privileges and immunities of citizens in the several States.

2. A person charged in any State with treason, felony, or other crime, who shall flee from justice, and be found in another State, shall, on the demand of the Executive authority of the State from which he fled, be delivered up, to be removed to the State having jurisdiction of the crime.

3. No person held to service or labor in one State, under the laws thereof, escaping into another, shall in consequence of any law or regulation therein, be discharged from such service or labor, but shall be delivered up on claim of the party to whom such service or labor may be due.

SECTION III.

1. New States may be admitted by the Congress into this Union; but no new State shall be formed or erected within the jurisdiction of any other State; nor any State be formed by the junction of two or more States, or parts of States, without the consent of the Legislatures of the States concerned, as well as of the Congress.

2. The Congress shall have power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States; and nothing in this Constitution

shall be so construed as to prejudice any claims of the United States, or of any particular State.

SECTION IV.

The United States shall guarantee to every State in this Union, a republican form of government, and shall protect each of them against invasion; and on application of the Legislature, or of the Executive, (when the Legislature cannot be convened) against domestic violence.

ARTICLE V.

The Congress, whenever two-thirds of both Houses shall deem it necessary, shall propose amendments to this Constitution, or, on the application of the Legislatures of two-thirds of the several States, shall call a Convention for proposing amendments, which, in either case, shall be valid to all intents and purposes, as part of this Constitution, when ratified by the Legislatures of three-fourths of the several States, or by Conventions in three-fourths thereof, as the one or the other mode of ratification may be proposed by the Congress: *Provided*, That no amendment which may be made prior to the year one thousand eight hundred and eight, shall in any manner affect the first and fourth clauses in the ninth section of the first article; and that no State, without its consent, shall be deprived of its equal suffrage in the Senate.

ARTICLE VI.

1. All debts contracted, and engagements entered into, before the adoption of this Constitution, shall be as valid against the United States under this Constitution, as under the confederation.

2. This Constitution, and the laws of the United States which shall be made in pursuance thereof, and all treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land; and the judges in every State shall be bound thereby, any thing in the Constitution or laws of any State to the contrary notwithstanding.

3. The Senators and Representatives before mentioned, and the members of the several State Legislatures, and all Executive and Judicial officers, both of the United States and of the several States, shall be bound by oath or affirmation, to support this Constitution; but no religious test shall ever be required as a qualification to any office or public trust under the United States.

ARTICLE VII.

The ratification of the Conventions of nine States, shall be sufficient for the establishment of this Constitution between the States so ratifying the same.

DONE in Convention, by the unanimous consent of the States present, the seventeenth day of September, in the year of our Lord one thousand seven hundred and eighty-seven, and of the Independence of the United States of America, the twelfth. In witness whereof, we have hereunto subscribed our names.

GEORGE WASHINGTON,

President, and Deputy from Virginia.

New Hampshire.

John Langdon,
Nicholas Gilman.

Massachusetts.

Nathaniel Gorham,
Rufus King.

Connecticut.

William Samuel Johnson,
Roger Sherman.

New York.

Alexander Hamilton.

New Jersey.

William Livingston,
David Brearly,
William Patterson,
Jonathan Dayton.

Pennsylvania.

Benjamin Franklin,
Thomas Mifflin,
Robert Morris,
George Clymer,
Thomas Fitzsimons,
Jared Ingersoll,
James Wilson,
Gouverneur Morris.

Delaware.

George Read,
Gunning Bedford, jun,
John Dickinson,
Richard Bassett,
Jacob Broom.

Maryland.

James M'Henry,
Daniel of St. Thomas Jenifer,
Daniel Carroll.

Virginia.

John Blair,
James Madison, jun.

North Carolina.

William Blount,
Richard Dobbs Spaight,
Hugh Williamson.

South Carolina.

J. Rutledge,
Charles Cotesworth Pinckney,
Charles Pinckney,
Pierce Butler.

Georgia.

William Few,
Abr. Baldwin.

Attest

WILLIAM JACKSON, *Secretary.*

AMENDMENTS TO THE CONSTITUTION.

ARTICLE I.

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof, or abridging the freedom of speech, or of the press, or the right of the people peaceably to assemble, and to petition the government for a redress of grievances.

ARTICLE II.

A well regulated militia being necessary to the security of a free State, the right of the people to keep and bear arms shall not be infringed.

ARTICLE III.

No soldier shall, in time of peace, be quartered in any house without the consent of the owner, nor in time of war, but in a manner to be prescribed by law.

ARTICLE IV.

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated; and no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched and the persons or things to be seized.

ARTICLE V.

No person shall be held to answer for a capital or otherwise infamous crime, unless on a presentment or indictment of a grand jury, except in cases arising in the land or naval forces, or in the militia when in actual service, in time of war or public danger; nor shall any person be subject for the same offence to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case, to be a witness against himself, nor be deprived of life, liberty or property, without due process of law; nor shall private property be taken for public use without just compensation.

ARTICLE VI.

In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall

have been previously ascertained by law, and to be informed of the nature and cause of the accusation, to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor; and to have the assistance of counsel for his defence.

ARTICLE VII.

In suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved; and no fact tried by a jury shall be otherwise re-examined in any court of the United States, than according to the rules of the common law.

ARTICLE VIII.

Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

ARTICLE IX.

The enumeration in the constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.

ARTICLE X.

The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States, respectively, or to the people.

ARTICLE XI.

The judicial power of the United States shall not be construed to extend to any suit in law or equity, commenced or prosecuted against one of the United States by citizens of another State, or by citizens or subjects of any foreign State.

ARTICLE XII.

The electors shall meet in their respective States, and vote by ballot for President and Vice President, one of whom at least, shall not be an inhabitant of the same State with themselves; they shall name in their ballots the person voted for as President, and in distinct ballots the person voted for as Vice President; and they shall make distinct lists of all persons voted for as President, and of all persons voted for as Vice President, and the number of votes for each, which lists they shall sign and certify, and transmit sealed to the seat of Government of the United States, directed to the President of the Senate; the President of the Senate shall, in the presence of the Senate and House of Representatives, open all the certificates, and the votes shall then be counted; the person having the greatest num-

ber of votes for President, shall be the President, if such number be a majority of the whole number of electors appointed; and if no person have such majority, then from the persons having the highest numbers, not exceeding three on the list of those voted for as President, the House of Representatives shall choose immediately, by ballot the President. But in choosing the President, the votes shall be taken by States, the representation from each State having one vote; a quorum for this purpose shall consist of a member or members from two-thirds of the States, and a majority of all the States shall be necessary to a choice. And if the House of Representatives shall not choose a President, whenever the right of choice shall devolve upon them, before the 4th day of March next following, then the Vice President shall act as President, as in the case of the death or other constitutional disability of the President.

2. The person having the greatest number of votes as Vice President, shall be the Vice President, if such number be a majority of the whole number of electors appointed; and if no person have a majority, then from the two highest numbers on the list, the Senate shall choose the Vice President: a quorum for the purpose shall consist of two thirds of the whole number of Senators, and a majority of the whole number shall be necessary to a choice.

3. But no person constitutionally ineligible to the office of President, shall be eligible to that of Vice President of the United States.

RULES OF ORDER

FOR THE

GOVERNMENT OF THE SENATE.

1. When the Speaker takes the chair, each member shall take his seat; and on the appearance of a quorum, the Journal of the preceding day shall be read.

2. After the reading of the Journal of the preceding day, the Senate shall proceed to business in the following order, to wit: 1st, the receiving petitions, memorials, pension certificates and papers addressed either to the General Assembly or to the Senate; 2d, the reports of standing committees; 3d, the reports of select committees; 4th, resolutions; 5th, bills; 6th, bills, resolutions, petitions, memorials, messages, pension certificates, and other papers on the table. Then the orders of the day; but motions and messages to elect officers, shall always be in order.

3. When any member is about to speak in debate or deliver any matter to the House, he shall rise from his seat and respectfully address himself to the Speaker, and shall confine himself to the question under debate, and avoid personality. And when two or more members happen to rise at once, the Speaker shall name the one who is first to speak. No member shall speak oftener than twice on the same question, without leave of the House.— And when any member is speaking, he shall not be interrupted by any person, either by speaking or by standing, or passing between him and the Chair.

4. All Bills and Resolutions of a public nature, introduced, shall pass, as a matter of course, the first reading.

5. If any member, in speaking or otherwise, transgress the rules of the House, the Speaker shall, or any member may call him to order; in which case, the member so called to order, shall immediately sit down, unless permitted to explain; and the House shall, if appealed to, decide on the case, but without debate. If there be no appeal, the decision of the Chair shall be submitted to. If the decision be in favor of the member called to order, he shall be at liberty to proceed; if otherwise, and the case require it, he shall be liable to the censure of the House.

6. When a motion is made and seconded, no other motion shall be received, unless it be to amend the main question, to postpone it to a day certain, to postpone it indefinitely, to commit it, to let it lie on the table, or to adjourn.

7. Questions may be stated by the Speaker sitting, but shall be putstanding. Questions shall be distinctly put in this form: "Senators, as many as are of opinion that (as the case may be) say Aye:" and after the affirmative voice is expressed—"As many as are of a contrary opinion, say No." If the Speaker doubt as to the voice of the majority, or a division be called for, the Speaker shall call on those in the affirmative of the question to rise from their seats, and afterwards those in the negative. If the Speaker still doubt, or a count be required, the Speaker shall name two members, one from each side, to tell the number in the affirmative; which being reported, he shall then name two others, one from each side, to tell those in the negative; which being also reported, he shall state the division to the House, and announce its decision. No member, who was without the bar of the Senate when any question was put from the Chair, shall enter his Yea or Nay without leave, unless he shall have been absent on some committee; and the row of pillars shall be the bar of the Senate.

8. When any member shall make a motion which is not of course, he shall reduce the same to writing, if required.

9. In all cases of election by the House, the Speaker shall vote; and when, on a division, there shall be an equal number of votes, the speaker shall decide the question. In no other case shall he vote, unless his vote, if given to the minority, will make the division equal; and when an equal division is produced by the Speaker's vote, the question shall be lost.

10. No member shall depart the service of the House without leave, or receive pay as a member for the time he is absent.

11. Petitions, memorials and other papers addressed to the House shall be presented by the Speaker, or by a member in his place; a brief statement of the contents thereof shall verbally be made by the introducer, and the petition, memorial, or other paper shall not be read, unless so ordered by the House.

12. Resolutions for the appropriation of public money, and all resolutions of a public nature, as well as all bills, shall be read the first time for information; and, upon this reading, shall not be subject to amendment; but may be amended on the second

and third reading. And the Clerk shall keep a calender of all such resolutions and bills, with the orders taken on them, for the inspection of the members of the Senate.

13. All bills of a public nature, when ready for the second reading, shall be noted to be read at least one day previous thereto; and then shall first be read for information, and afterwards, paragraph by paragraph, and held open for amendment.

14. After a bill has been once rejected, postponed indefinitely, or to a day beyond the session, another of like provisions shall not be introduced during the same session,

15. When a question has been once decided, it shall be in order for any member in the majority to move for a reconsideration thereof on the same or succeedidg day, if the bill, resolution, or paper, upon which the question has been taken, be in possession of the Senate.

16. The Speaker shall examine and correct the Journal before it is read; he shall have the general directions of the Hall; he shall designate the members who shall compose all committees, except when otherwise ordered; and the select committees of this House shall consist of five members.

17. There shall be appointed by the Speaker, the following committees, viz: a committee of propositions and grievances; a committee of privileges and elections; a committee of claims; a committee on the Judiciary; a committee on Internal Improvement; and a committee on Education and the Literary Fund, consisting of seven members each.

18. When the House resolves itself into a Committee of the Whole, the Speaker shall leave the chair, and appoint a Chairman; and when, upon any other occasion, the Speaker wishes to leave the chair, he shall appoint a Speaker pro. tem.

19. When any petition, memorial or other paper addressed to the House, shall have been referred either to one of the standing or select committees, they shall, in their report on the petition, memorial, or other paper, make a statement in writing of the facts embraced in the case so referred.

20. In case of any disturbance or disorderly conduct in the gallery or lobby, the Speaker, or Chairman of the Committee of the Whole House shall have power to have the same cleared.

21. No person, except members of the House of Commons, Officers and Clerks of the two Houses of the General Assembly, Judges of the Supreme and Superior Courts, officers of the State resident at the seat of government, members of Congress, per-

sons particularly invited by the Speaker, and such gentlemen as have been members of either House of the Legislature, shall be admitted within the Hall of the Senate.

22. Any member dissatisfied with the decision of the Speaker on any question of order, may appeal to the House.

23. When the House adjourns, the members shall keep their seats till the Speaker leaves the chair.

24. On motion of adjournmen, the question shall be decided without debate.

25. The rules for the government of the Senate shall not be amended or altered, without giving at least one day's notice of such amendment or alteration, except by the consent of two-thirds of the members present.

ANDREW JOYNER,
Speaker of the Senate.

By Order:
THOMAS G. STONE, *Clerk.*

RULES AND ORDER

OF CONDUCTING BUSINESS IN

THE HOUSE OF COMMONS.

TOUCHING THE DUTY OF THE SPEAKER.

1. He shall take the Chair every day precisely at the hour to which the House shall have adjourned, on the preceding day; shall immediately call the members to order, and on the appearance of a quorum, shall cause the Journal of the preceding day to be read.
2. He shall preserve decorum and order; may speak to points of order in preference to other members, rising from his seat for that purpose; and shall decide questions of order, subject to an appeal to the House by any member; on which appeal, no member shall speak more than once, unless by leave of the House.
3. He Shall rise to put a question, but may state it sitting.
4. Questions shall be distinctly put in this form, viz: "As many as are of opinion that, (as the question may be,) say Aye:" and after the affirmative voice is expressed, "As many as are of a contrary opinion, say No." If the Speaker doubt, or a division be called for, the House shall divide: Those in the affirmative of the question, shall rise from their seats; and afterwards those in the negative. If the Speaker still doubt, or a count be required, the Speaker shall name two members, one from each side, to tell the members in the affirmative; which being reported, he shall then name two others; one from each side, to tell those in the negative; which being also reported, he shall rise and state the decision to the House.
5. The Speaker shall examine and correct the Journal before it is read. He shall have a general direction of the Hall. He shall have the right to name any member to perform the duties of the Chair; but such substitution shall not extend beyond an adjournment, except in case of sickness.
6. All committees shall be appointed by the Speaker, unless otherwise specially directed by the House.
7. In all elections, the Speaker shall vote. In other cases, he shall not vote, unless the House be equally divided; or unless his

vote, if given to the minority, will make the division equal: in case of such equal division, the question shall be lost.

8. The Speaker shall arrange the orders of the day unless the House shall otherwise direct.

9. All acts, addresses, and joint resolutions, shall be signed by the Speaker; and all writs, warrants and subpoenas issued by order of the House, shall be under his hand and seal, attested by the Clerk.

10. In case of any disturbance or disorderly conduct in the galleries or lobby, the Speaker (or Chairman of the committee of the whole) shall have power to order the same to be cleared.

11. No person shall be permitted to come within the bar of the House, unless by the invitation of the Speaker or some member of the House.

12. Stenographers, wishing to take down the debates, may be admitted by the speaker, who shall assign such places to them on the floor or elsewhere, to effect their object, as shall not interfere with the convenience of the House.

ORDER OF BUSINESS OF THE DAY.

13. The unfinished business in which the House was engaged at the last preceding adjournment, shall have the preference in the orders of the day; and no motion or any other business shall be received without special leave of the House, until the former is disposed of. All elections by the House, shall be *viva voce*, unless there be but one nominee, in which case appointments may be made on motion.

OF DECORUM AND DEBATE.

14. When any member is about to speak in debate or deliver any matter to the House, he shall rise from his seat and respectfully address himself to the Speaker.

15. If any member in speaking or otherwise transgress the rules of the House, the Speaker shall, or any other member may, call him to order; in which case the member so called to order, shall immediately take his seat, unless permitted to clear a matter of fact or to explain; and the House shall, if appealed to, decide on the case.—If there be no appeal, the decision of the Chair shall be submitted to. If the decision be in favor of the member called to order, he shall be at liberty to proceed; if otherwise, and the case require it, he shall be liable to the censure of the House.

16. When two or more members rise at the same time, the Speaker shall name the member to speak.

17. No member shall speak more than twice on the same question, without leave of the House.

18. Whilst the Speaker is putting any question or addressing the House, no person shall speak, stand up or walk out or across the House; nor when a member is speaking entertain private discourse, stand up, or pass between him and the Chair.

19. No member shall vote on any question, in the event of which he is immediately and directly interested, or in case where he was not present when the question was put by the Speaker. Upon a division and count of the House on any question, no member without the bar shall be counted.

20. Every member who shall be in the House when the question is stated, shall give his vote, unless the House, for special reasons, shall excuse him.

21. When a motion is made and seconded, it shall be stated by the Speaker, or if written, it shall be handed to the Chair; and read aloud by the Clerk, before debated.

22. Every motion shall be reduced to writing, if the Speaker or any two members desire it.

23. After a motion is stated by the Speaker, or read by the Clerk, it shall be deemed to be in the possession of the House; but may be withdrawn before a decision or amendment.

24. When a question is under debate, no motion shall be received but to adjourn, to lay on the table, to postpone indefinitely, to postpone to a day certain; to commit or amend; which several motions shall have precedence in the order they stand arranged; and no motion to lay on the table, to postpone indefinitely, to postpone to a day certain, to commit or amend, being decided, shall be again allowed on the same day and at the same stage of the bill or proposition.

25. A motion to adjourn shall always be in order, except when the House is voting, and shall be decided without debate.

26. When a question is postponed indefinitely, the same shall not be acted upon again during the session.

27. Any member may call for a division of the question, when the same will admit of it; which shall be determined by the Speaker.

28. When a motion has been once made and carried in the affirmative or negative, it shall be in order for any member of

the majority to move for the re-consideration thereof, on the same or succeeding day.

29. When the reading of a paper is called for, which has been read in the House, and the same is objected to by any member, it shall be determined by a vote of the House.

30. Petitions, memorials, and other papers addressed to the House, shall be presented by the Speaker, or by a member in his place; a brief statement of the contents thereof shall verbally be made by the introducer; and shall not be debated or decided on the day of their being first read, unless when the House shall direct otherwise, but shall lie on the table to be taken up in the order they were read.

31. No bill, petition, memorial, or other papers that may be introduced, shall be taken out of the possession of the House, or sent to the Senate until the time for re-consideration shall have elapsed.

32. When the yeas and nays are called for on any question, it shall be on motion before the question is put, and if seconded, the question shall be decided by yeas and nays; and in taking the yeas and nays, or on a call of the House, the names of the members shall be taken alphabetically.

33. No member shall be called upon for words spoken in the House but on the day they were spoken. Decency of speech shall be observed, and personal reflections carefully avoided.

34. Any twenty members, including the Speaker, shall be authorized to compel the attendance of absent members.

35. No member or officer of the House shall absent himself from the service of the House, without leave, unless from sickness or inability to attend.

36. Any member may excuse himself from serving on any committee at the time of his appointment, if he is a member of two standing committees.

37. If any member shall be necessarily absent on any temporary business of the House, when the vote is taken upon any question, on entering the House, he shall be permitted upon motion to vote.

38. No standing rule or order shall be rescinded, altered, or suspended, without one day's notice given of the motion thereof; and to sustain such motion, two thirds of the House shall be required.

COMMITTEES.

39. Six standing committees shall be appointed at the com-

menecement of the session, viz: A committee on elaims; a committee on propositions and grievances; a committee on education; a committee on agriculture; a committee on internal improvement, and a committee on privileges and elections. Each of said committees shall consist of thirteen members, one from each Congressional district, to be appointed by the members from the counties composing said district. In addition to the above standing committees, the Speaker shall appoint another, two members from each Judicial Circuit, to be denominated the committee on private bills.

40. A select standing committee consisting of nine members, shall be appointed at the commencement of the session by the Speaker, and be denominated "the committee on the Judiciary."

41. Select committees shall consist of five members. It shall be the duty of the person first named on any committee to cause the members of the committee to convene when necessary, and when so convened, they shall appoint some one of their number chairman.

42. In forming a committee of the whole House, the Speaker shall leave his chair, and a chairman to preside in committee shall be appointed by the Speaker.

43. Upon bills committed to a committee of the whole House, the bill shall be first read throughout by the clerk, and then again read and debated by sections, leaving the preamble to be last considered; the body of the bill shall not be defaced or interlined; but all amendments, noting the page and line, shall be duly entered by the clerk on a separate paper, as the same shall be agreed to by the committee, and so reported to the House. After report, the bill shall again be subject to be debated and amended by sections, before a question on its passage be taken.

44. All questions, whether in committee, or in the House, shall be propounded in the order in which they were moved, except that in filling up blanks, the largest sum and longest time shall be first put.

45. The rules of proceedings in the House shall be observed in a committee of the whole House, so far as they may be applicable, except the rule limiting the times of speaking.

46. In a committee of the whole House, a motion that the committee rise shall always be in order, and shall be decided without debate.

OF BILLS, RESOLUTIONS, &c.

47. Every bill shall be introduced by motion for leave or by order of the House on the report of a committee.

48. Every bill shall receive three several readings in the House previous to its passage; and the Speaker shall give notice at each, whether it be the first second or third. The first reading of a bill shall be for information, and if opposition be made to it, the question shall be, "Shall this bill be rejected?" If no opposition be made, or if the question to reject be negatived, the bill shall go to its second reading without a question.

49. Upon the second reading of a bill, the Speaker shall state it as ready for commitment or amendment.

50. All bills shall be despatched in order as they were introduced, unless when the House shall direct otherwise; but no public bill shall be twice read on the same day, without the concurrence of two thirds of the members present.

51. All resolutions which may grant money out of the Treasury, shall be treated in all respects in a similar manner with public bills.

52. When a bill is introduced to repeal a public law, or any part thereof, the law, or part intended to be repealed, shall be read at each separate reading of the bill.

53. When a bill has been once rejected, no other of the same purport shall be introduced again during the session.

54. The Clerk of the House shall be deemed to continue in office until another is appointed.

WILLIAM A. GRAHAM,
Speaker of the House of Commons.

By order
CHARLES MANLY, *Clerk.*

JOINT RULES

FOR

BOTH HOUSES.

1. Each House shall perfect and finally act on all bills, resolutions and orders, before the same shall be communicated to the other for its concurrence; and if amended in the House to which it is transmitted, it shall be communicated to the House in which it originated, asking the concurrence of that House in the amendment.

2. In any case of amendment of a bill, resolution or order, agreed to in one House, and dissented to in the other, if either House shall request a conference, and appoint a committee for that purpose, and the other House shall also appoint a committee to confer, each committee shall consist of an equal number, and they shall meet and state to each other the reasons of their respective Houses, for and against the amendment, and confer freely thereon, and make a report in writing to their respective Houses, of the result of their conference.

3. Messages from one House to the other shall be sent by the clerk assistant of each house, unless otherwise ordered.

4. When a message shall be sent from one House to the other, it shall be announced at the door of the House to which it is sent by the door-keeper, and shall be respectfully delivered to the Chair, by the person by whom it may be sent.

5. After a bill shall have passed the House in which it originated, it shall be under the signature of the clerk, and engrossed under his direction and inspection, before it shall be communicated to the other House.

6. After a bill shall have passed both Houses, it shall be duly enrolled, on suitable paper, by the engrossing clerks, before it shall be presented for ratification.

7. When bills are enrolled, they shall be carefully examined by a joint committee of two from the Senate, and four from the House of Commons, appointed at the meeting of the two Houses each Monday Morning, as a Committee for that purpose, for one week, whose duty it shall be carefully to compare the enrolment

with the engrossed bills, as passed in the two Houses, and to correct any errors that may be discovered in the enrolled bills, and make their report of the said bills to the House.

8. After examination and report, each bill shall be ratified and signed in the respective Houses; first by the Speaker of the House of Commons, and then by the Speaker of the Senate.

9. All orders, resolutions and votes of the Houses shall be examined, engrossed and signed in the same manner as bills.

10. When a bill or resolution, which shall have passed in one House, is rejected in the other, notice thereof shall be given to the House in which the same may have passed.

11. The committee in each House shall in all cases, make a statement of facts on which their report is founded; which statement, with all other papers on which any bill or resolution shall be formed, shall be transmitted to the other House.

12. The Committee of Finance shall be joint, consisting of eight members of each House. The Library Committee shall be a joint standing committee, consisting of three members from each House appointed by the Speakers thereof, respectively.

13. In all joint committees, the member first named on the committee, on the part of the House proposing to raise such committee, shall convene the same; and when met they shall choose their own Chairman.

14. Either House may make a reference to any joint committee, and all reports shall be made to the House ordering such reference.

15. Whenever either House shall order any paper or document to be printed, it shall be printed in octavo form, on good paper, and with fair type, and shall be distributed in the following manner: One copy thereof to each member of the General Assembly, one copy to the clerks of each House for the use thereof; and ten copies shall be deposited in the Public Library.

16. All elections requiring a joint vote shall be *viva voce*, and a select committee of two members in each House shall be appointed to superintend the same in their respective Houses. After the vote shall have been taken, said select committees shall confer together and report the result of such election to their respective Houses.

17. That the foregoing rules shall be permanent Joint Rules of the Legislature of North Carolina, until altered or amended.

No. 3.

LEGISLATURE OF NORTH CAROLINA:

RALEIGH, NOVEMBER, 1840.

REPORT

OF THE

PUBLIC TREASURER,

ON THE

STATE OF THE FINANCES

OF

NORTH CAROLINA,

TRANSMITTED, ACCORDING TO ACT OF ASSEMBLY

On the 18th November, 1840.

RALEIGH:

THOS. J. LEMAY, PRINTER FOR THE LEGISLATURE.

. 1840.

LEGISLATIVE DEPARTMENT,
November 16, 1840. }

SIR:

I have the honor herewith to transmit to you, to be laid before the General Assembly, a Report, prepared in obedience to an Act of Assembly, entitled "An Act concerning the Treasurer of the State."

I have the honor to be,

With great respect, Sir,

Your obedient servant,

C. L. HINTON

THE HONORABLE THE SPEAKER
of the House of Commons.

REPORT.

Treasury Department, }

November 16, 1840. }

To the Hon. the General Assembly of the State of North Carolina:

In obedience to the directions of an Act of the General Assembly, passed at the session of 1827, entitled "an Act concerning the Public Treasury," the Public Treasurer respectfully submits the following Report:

1. Of the Public or unappropriated Revenue and Expenditures.

| | |
|---|-------------|
| The balance of cash in the Public Treasury, on the 1st day of Nov. 1838, was | \$37,466 56 |
| Cash received of Samuel F. Patterson and Charles L. Hinton, commissioners for the sale of Cherokee Lands, | \$46,450 76 |
| Do. Received on Cherokee Bonds, the sale of 1838, | 2,805 25 |
| Do. From the Buncombe Turnpike Co. being a dividend of 15 per ct. on the stock owned by the State in said Company, | 750 00 |
| Do. Received from the Bank of Cape Fear, for dividend No. 59 of 5 per cent. on ten shares of stock unappropriated January, 1839, | 50 00 |
| Do. do. For dividend No. 60, of 4 per cent., in July, 1839, | 40 00 |
| Do. do. For dividend No. 61, of 4 per cent. January, 1840, | 40 00 |
| Do. Received for dividend No. 62, 2-12 per cent., July, 1840, | 25 00 |
| Do. Received from E. H. Wingate, Cash'r., for tax of 25 cents on each share of stock owned by individuals in the Bank of Cape Fear, (for 1838,) | 1,770 29 |

| | | |
|---|--|--------------|
| Do. | do. for 1839, | 2,123 00 |
| Do. | do. for 1840, | 2,189 50 |
| Do. | Received from Charles Dewey, Cash'r. of the Bank of the State of N. C., being a tax of 25 cents on each share of stock held by indi- viduals in said Bank, (for 1839,) | 2,250 00 |
| Do. | do. for 1840, | 2,250 00 |
| Do. | Received from J. W. Guion, Cash'r. of the Merchants' Bank of New- bern, being a tax of 25 cts. on each share of stock held by individuals in said Bank for 1839, | 562 50 |
| Do. | do. for 1840, | 562 50 |
| Do. | Received from Philip Hodnell, en- try taker of Caswell county, as pen- alty for not making return to Sec- retary of State, | 200 00 |
| Do. | Received from Sheriffs for public tax for 1838, | 78,013 86 |
| Do. | do. for additional returns for 1838, | 281 59 |
| Do. | Received from Sheriffs for public tax for 1839, | 76,374 58 |
| Do. | do. for additional returns for 1839, | 192 47 |
| Making an aggregate of | | 216,931 30 |
| Which, added to the balance of cash on hand 1st Nov. 1838, makes the sum of | | \$254,397 86 |
| The expenditures from the public fund for the same period, that is, from the 31st of October, 1838, until the 1st of November, 1840, consists of the following items: | | |
| Cash | paid expense of survey and sale of Cherokee lands in 1838, | 3,450 50 |
| Do. | Refunded to commissioners of sale of Cherokee lands, | 32 41 |
| Treasury notes burnt by committee | | |

| | | |
|---|------------|-------------|
| of finance, | 1,290 67 | |
| Do. General Assembly, | 33,795 93 | |
| Do. Judiciary, | 51,876 11 | |
| Do. Executive Department, | 4,600 00 | |
| Do. Treasury Department, | 4,000 00 | |
| Do. State Department, | 1,700 00 | |
| Do. Comptroller's Department, | 2,000 00 | |
| Do. Adjutant General, | 400 00 | |
| Do. Rebuilding Capitol, | 105,540 96 | |
| Do. Public Printing, | 4,661 82 | |
| Do. Weights and Measures, | 3,829 50 | |
| Do. Council of State, | 349 20 | |
| Do. Governor's election, | 698 00 | |
| Do. Senatorial elections, | 200 75 | |
| Do. Post Office, | 1,030 84 | |
| Do. Tax remitted, | 229 06 | |
| Do. Pensioners, | 1,342 50 | |
| Do. Contingencies, | 7,005 21 | |
| Do. Repairs, and furnishing Governor's house, | 748 33 | |
| Do. Congressional elections, | 568 38 | |
| Do. Sheriffs for settling public tax, | 2,206 38 | |
| | | <hr/> |
| Making an aggregate of | | 231,556 55 |
| Which, deducted from the amount of re- ceipts, leaves a balance in the hands of the Public Treasurer on the 1st day of Nov. 1840, of | | \$22,841 31 |

II. Of the Literary Fund.

The balance of cash in the hands of the Public Treasurer, as Treasurer of the Literary Fund, on the 31st of October, 1838, as reported to the Legislature of that year, was, 27,285 11

The receipts at the Treasury of moneys belonging to this fund, for the two last fiscal years, that is, from the 31st of October, 1838. to the 1st of Nov. 1840, are as follows:

| | |
|---|----------|
| Cash received for entries of vacant land for 1839, | 9,737 93 |
|---|----------|

| | |
|--|-----------|
| Do. do. for 1840, | 1,855 47 |
| Do. Auction tax for 1839, | 592 11 |
| Do. do. do. for 1840, | 519 07 |
| Do. Received from the President & Directors of the fund for Internal Improvement, as interest on loans, appropriated to the Literary Fund, (for 1839,) | 9,335 65 |
| Do. Received for 1840, | 5,168 70 |
| Do. Received from the President & Directors of the Roanoke Navigation Company, dividend No. 5 and 6 of 1 1-2 per cent. on 500 shares of stock in said company, | 1,500 00 |
| Do. do. do. dividend No. 7, | 1,125 00 |
| Do. Received as principal on loans by the board of Literature for 1839, | 49,480 00 |
| Do. do. do. for 1840, | 26,185 85 |
| Cash received as interest on loans by the Board of Literature for 1839 | 9,808 77 |
| Do. do for 1840 | 14,531 03 |
| Do. Received from the Bank of the State of North Carolina, dividend, No. 7, of 5 per ct. on 5,000 shares of stock in said Bank, held by the President and Directors of Literary Fund | 25,000 00 |
| Do. do. dividend, No. 8, of 5 1-4 per cent. | 26,250 00 |
| Do. " dividend, No. 9, of 3 per ct. | 15,000 00 |
| Do. " dividend, No. 10, of 3 1-4 per cent. | 16,250 00 |
| Do. Received of the Bank of Cape Fear dividend, No. 59, of 5 per cent. on 5,207 shares of stock in said Bank | 26,035 00 |
| Do. Received dividend, No. 60, of 4 per cent. on do | 20,828 00 |
| Do. Received dividend, No. 61. of 4 per cent. on do | 20,828 00 |
| Do. Received dividend, No. 62, of 2 1-2 | |

| | |
|---|--------------|
| per cent. on do | 13,017 50 |
| Do. Received dividend, No. 17, of 1 per cent. on 650 shares of stock in the Cape Fear Nav. Company | 650 00 |
| Do. Rec'd dividend, No. 18, of 1 pr. ct. | 650 00 |
| Do. Tax on retailers of spirituous li- quors for 1839 | 3,068 39 |
| Do. do do for 1840 | 2,735 86 |
| Do. Additional return on retailers of spirituous liquors | 18 80 |
| Do. Received as interest on bonds of the Raleigh and Gaston Rail Road Company, due 1st January, 1840 | 3,680 16 |
| Do. do due 1st July, 1840 | 4,200 00 |
| Do. Received as principal on loan to the Raleigh and Gaston Rail Road Company | 50,000 |
| Do. " Interest on bonds of the Wil- mington and Raleigh Rail Road Company | 2,484 23 |
| <hr/> | |
| Making an aggregate of | \$360,535 52 |
| <hr/> | |
| Which, added to the balance of Cash on hand the 1st Nov. 1838, makes the sum of | \$387,820 63 |
| <hr/> | |
| The disbursements of the Lit'ry Fund during the foregoing period are as follows, (viz:) | |
| Cash paid loans made to different indi- viduals by the President and Di- rectors of the Literary Fund | 13,800 00 |
| Do. The expense of the Board | 1,948 12 |
| Do. For draining Swamp Lands | 55,130 95 |
| Do. For 115 shares of stock in the Bank of Cape Fear | 11,500 00 |
| Do. For bonds in the Raleigh and Gas- ton Rail Road Company | 140,000 |
| Do. For bonds in the Wilmington and Raleigh Rail Road Company | 55,000 00 |

| | |
|--|--------------|
| Do. " As interest on deferred payment of stock subscribed for by the Board of Literature in the Bank of Cape Fear | 34 50 |
| Do. The State's quota for thirteen school districts established in the county of Tyrrell | 520 00 |
| Do. " For sixteen school districts in the county of Cherokee | 640 00 |
| Do. " For twenty-two school districts in the county of Richmond | 880 00 |
| Do. " For nine school districts in the county of Macon | 360 00 |
| <hr/> | |
| Making an aggregate amount of | \$309,813 57 |
| Which, deducted from the receipts, leaves a balance in the hands of the Public Treasurer as Treas. of Lit. Fund on the 1st Nov. 1840 | \$78,007 06 |

III. Of the Fund for Internal Improvement.

| | |
|---|------------|
| The balance of cash in the hands of the Public Treasurer, as Treasurer of the Fund for Internal Improvement, on the 31st of Oct., 1838, as reported to the Legislature of that year, was | \$3,752 26 |
| The receipts at the Treasury Department on account of the Fund for Internal Improvement for the two last fiscal years, that is, from the 31st of Oct. 1838, until the 1st of Nov. 1840, are as follows: | |
| Cash received from J. W. Guinn, Atto., collected on Cherokee bonds | 14,426 34 |
| Do. " From T. L. Clingman, Atto., collected on Cherokee bonds | 3,692 53 |
| Do. " From J. L. Dilliard and other Justices of Haywood county, in part of bonds due the State | 910 00 |
| Do. " Bank of Cape Fear, dividend | |

| | | |
|--|------------|--------------|
| No. 59, of 5 per cent. on 112 shares of stock appropriated to this fund | 560 00 | |
| Do. " Dividend, No. 60, of 4 pr. ct. | 448 00 | |
| Do. " Dividedd, No. 61, of 4 pr. ct. | 448 00 | |
| Do. " Div'd, No. 62, of 2 1-2 pr. ct. | 280 00 | |
| Do. " As principal on loans made by the Board of Internal Improve- ment to sundry individuals | 13,682 48 | |
| Do. " On Cherokee bonds | 11,880 48 | |
| Do. " On transfer of loans to pay the State's subscription for stock in the Wilmington and Raleigh Rail Road Company | 150,000 00 | |
| Do. " Amount loaned the Wilming- ton and Raleigh Rail Road Compa- ny, and converted into payment of stock in said company | 112,000 00 | |
| Do. " Individual bond | 4,000 00 | |
| | | <hr/> |
| Making an aggregate of | | \$312,327 83 |
| Which, added to the balance before sta- ted, makes the sum of | | \$316,080 09 |
| The disbursements from this fund for the same period, are as follows: | | |
| Cash paid, the expenses of the Board of Internal Improvement | 855 00 | |
| Do. " D. G. McRea, special agent to receive subscription for the Fay- etteville and Western Rail Road | 112 50 | |
| Do. " S. Colton, agent for the Fay- etteville and Western Rail Road | 750 00 | |
| Do. " Expense of the survey of Nags Head | 2,336 24 | |
| Do. Thos L. Clingman, Atto., commis- sions of 5 per cent. on \$5,652 33, collected by him on Cherokee bonds | 282 62 | |
| Do. Jesse Cockeram, as a remission of interest allowed on Cherokee bonds, | 29 52 | |
| Do. J. R. Love, as a remission of inter- est on Cherokee bonds, | 23 94 | |

| | | |
|---|------------|------------|
| Do. S. Birdsall, compensation as clerk to the Board of Internal Improvement, | 255 00 | |
| Do. J. W. Green, Treasurer of the Wilmington & Raleigh Rail Road Company, for States' subscription for stock in said company, | 300,000 00 | |
| Do. paid clerk of the Board of Internal Improvement, per resolution of last General Assembly, | 250 00 | |
| Do. paid loans to individuals, | 12,000 00 | |
| Do. " Moses Addington, commissioner for State road leading from Franklin, in Macon, to Murphy, in Cherokee county, | 1,358 00 | |
| | | |
| Making an aggregate of | | 318,252 82 |
| Which shews a balance of expenditure over the receipts, of | 2,172 73 | |

All the disbursements made at the Treasury Department, during the two last fiscal years, it is believed, are sustained by proper and appropriate vouchers, which will be found on file in the Comptroller's Office.

RECAPITULATION.

The foregoing statements show the balances of the different funds on the 31st of October, 1840.

| | | |
|---|-----------|-----------|
| Amount as Public Treasurer, | 22,841 31 | |
| Do. as Treas. of Lit. Fund, | 78,007 06 | |
| Deduct amount loaned to the fund of Int. Impt., | 2,172 73 | |
| | | 75,834 33 |

Making an aggregate amount of \$98,675 64

With which the Public Treasurer, as such, and Treasurer of the Literary and Internal Improvement Funds, stands charged on the books of this Department, and for which he is therefore accountable on the 1st day of November, 1840.

The foregoing amount is disposed of as directed by law, in the following manner, to wit:

| | | |
|-----------------------------------|-----------|--------------------|
| Deposit in the Bank of the State, | 47,894 31 | |
| Do. in the Bank of Cape Fear, | 45,973 99 | |
| | | 93,868 30 |
| Cash in hand in notes, | 88 73 | |
| Do. Treasury change, | 349 64 | |
| Do. Silver, | 4 40 | |
| Cash vouchers, | 4,364 57 | |
| | | 4,807 34 |
| Making a corresponding amount of | | <u>\$98,675 64</u> |

A dividend of 15 per cent. has been declared, during the present year, on the stock held by the State in the Buncombe Turnpike Company, amounting to \$750, which was sent to this office; but owing to the fact of its being principally in notes of the Georgia Banks, which were at a considerable discount in this section of the State, the Treasurer did not feel justifiable in receiving them, and had the amount returned to the President of the Company.

Such Bank exhibits as have been received during the two last fiscal years at this Department, are annexed; and such others as may be received during the sitting of the Legislature will be forthwith communicated.

The statements accompanying this report will be found to contain all the information on the different subjects to which they relate, which is required to be furnished by the Act of Assembly regulating the Treasury Department.

That portion of the public revenue accounted for by the Sheriffs of the different counties, has been, as usual, promptly paid in every instance. The delinquency of two auctioneers will be reported—one of whom has settled since the 31st of October—the time prescribed by law for their settling with the Public Treasurer.

Respectfully submitted,

C. L. HINTON, *Pub. Treas.*

Statement of Cash received in the Treasury, from the 31st day of October, 1838, to the 1st day of November, 1840, on additional return of Taxes.

| SHERIFFS. | COUNTIES. | WHEN DUE. | AMOUNT. |
|------------------------|-------------|------------|----------------|
| William D. Raseoe | Chowan | 1837 | 4 12 |
| Will. H. Archibald | Cabarrus | " | 30 13 |
| John H. Hardie | Rowan | " | 29 55 |
| John M. Smith | Davidson | " | 16 00 |
| Wm. Willkins, (late) | Rutherford | " | 25 20 |
| Robt. B. Davis | Washington | " | 53 84 |
| Alex. Johnson | Cumberland | " | 43 23 |
| P. B. Burt | Wake | " | 90 77 |
| Ed. K. Jiggitts | Hertford | " | 8 75 |
| | | | <hr/> 281 59 |
| Wm. H. Archibald | Cabarrus | Tav. Tax " | 3 76 |
| Wm. Willkins, (late) | Rutherford | " " " | 7 52 |
| Thomas J. Kinnear | Duplin | " " " | 7 52 |
| | | 1839 | <hr/> \$300 39 |
| Thomas L. Lea | Caswell | 1838 | 14 40 |
| Martin Roberts | Rockingham | " | 16 00 |
| James Quinn | Lincoln | " | 5 70 |
| E. K. Jiggitts (late) | Hertford | " | 14 59 |
| E. J. Peebles | Northampton | " | 104 97 |
| John L. Ferrel, (late) | Camden | " | 1 23 |
| P. B. Burt | Wake | " | 35 58 |
| | | 1840 | <hr/> \$192 47 |

B

Statement of Treasury Notes issued and reported to the Comptroller, and put in circulation, according to the Acts of Assembly of 1814, 1816 and 1823.

| | | |
|--|------|--------------|
| Amount issued under the Act of | 1814 | 82,000 00 |
| do do | 1816 | 80,000 00 |
| do do | 1823 | 100,000 00 |
| | | <hr/> |
| | | \$262,000 00 |
| Amount redeemed and burnt by the Committee of Finance as per Comptroller's Reports | | 212,587 72 |
| | | <hr/> |
| | | 49,412 28 |
| Deduct amount in the vault of the Treasury | | 349 64 |
| | | <hr/> |
| Shewing balance unredeemed of | | \$49,062 64 |
| | | <hr/> |

Statement of the amount of the different Branches of Revenue, from the 31st day of October, 1838, to 1st November, 1840.

| BRANCHES OF REVENUE. | AMOUNT. | AGGREGATE. |
|---|-----------|--------------|
| 1838 | | |
| Tax on Land | 29,134 89 | |
| " on Town Property | 2,117 23 | |
| " on Polls | 28,710 06 | |
| " on Stud Horses | 2,563 15 | |
| " on Gates | 204 45 | |
| " on Stores | 9,562 04 | |
| " on Pedlars | 2,239 08 | |
| " on Artificial Curiosities | 564 00 | |
| " on Natural do. | 338 40 | |
| " on Billiard Tables | 2,350 00 | |
| " on Fines | 200 00 | |
| " on Tax remitted | 30 56 | |
| | | 78,013 86 |
| 1839 | | |
| Tax on Land | 29,301 92 | |
| " on Town Property | 2,187 57 | |
| " on Polls | 29,242 10 | |
| " on Stud Horses | 2,321 01 | |
| " on Gates | 173 90 | |
| " on Stores | 9,273 40 | |
| " on Pedlars | 1,910 08 | |
| " on Artificial Curiosities | 676 80 | |
| " on Natural do. | 296 10 | |
| " on Negro Traders | 28 20 | |
| " on Billiard Tables | 940 00 | |
| " on Brokers | 23 50 | |
| | | 76,374 58 |
| Aggregate amount of public tax for 1838 & 9 | | \$154,388 44 |
| Additional returns of Public Tax for 1837 | 281 59 | |
| do do 1838 | 192 47 | |
| | | 474 06 |
| BANK TAX. | | |
| Bank of the State | 4,500 00 | |
| Bank of Cape Fear | 6,082 79 | |
| Merchants' Bank of Newbern | 1,125 00 | |
| | | 11,707 79 |
| DIVIDENDS. | | |
| Buncombe Turnpike Company | 750 00 | |
| Bank dividends on unappropriated stock | 155 00 | |
| Cherokee Land Sales | 49,256 01 | |
| Philip Hodnel, Entry Taker, Caswell | 200 00 | |
| | | 50,361 01 |
| Aggregate am't. rec'd. on acc't, Pub. Fund, | | \$216,931 30 |

STATEMENT (C) CONTINUED.

| BRANCHES OF REVENUE. | AMOUNT. | AGGREGATE. |
|---|------------|--------------|
| LITERARY FUND. | | |
| DIVIDENDS. | | |
| Bank of the State of North Carolina | 82,500 00 | |
| Bank of Cape Fear | 80,708 50 | |
| Roanoke Navigation Company | 2,625 00 | |
| Cape Fear do. do. | 1,300 00 | |
| | | 167,133 50 |
| Entries of vacant land | 11,593 40 | |
| Auction Tax | 1,111 18 | |
| Tavern Tax | 5,804 25 | |
| | | 18,508 83 |
| Principal on loans by Literary Board | 125,665 85 | |
| | | 125,665 85 |
| Interest " " | 24,339 80 | |
| Interest on loans by Board Int. Impt., | 14,504 35 | |
| Interest on bonds of the Ral. & Gas. R. R., | 7,880 16 | |
| Interest on bonds of the Wil. & Ral. R. R., | 2,484 23 | |
| | | 49,208 54 |
| Additional returns Tavern Tax, | 18 80 | 18 80 |
| Aggregate am't. rec'd. on acc't. Lit. Fund, | | \$360,535 52 |

INTERNAL IMPROVEMENT FUND.

| | |
|---|--------------|
| Dividends on Bank Stock | 1,736 00 |
| Received on Cherokee Bonds | 30,909 35 |
| Principal on loans | 279,682 48 |
| Aggregate amount received on acc't Fund for Int. Impt. | \$312,327 83 |
| Aggregate amount received on account of Public Fund, Literary, and Internal Improvement Funds | \$889,794 65 |

Statement of the number of shares of Bank Stock owned by the State of North Carolina, and by the President and Directors of the Literary Fund.

| | | |
|---|-------|---------------|
| Shares of stock in the Bank of the State, owned by the President and Ditectors of the Literary Fund | | 5,000 |
| Shares of stock in the Bank of Cape Fear, owned by the President and Directors of the Literary Fund | 5,322 | |
| Shares of stock in the Bank of Cape Fear, owned by the State of North Carolina | 10 | |
| Shares of stock in Bank of Cape Fear, owned by the State, and dividends appropriated to Fund for Internal Improvement | 112 | 5,444 |
| Aggregate number of shares | | <u>10,444</u> |

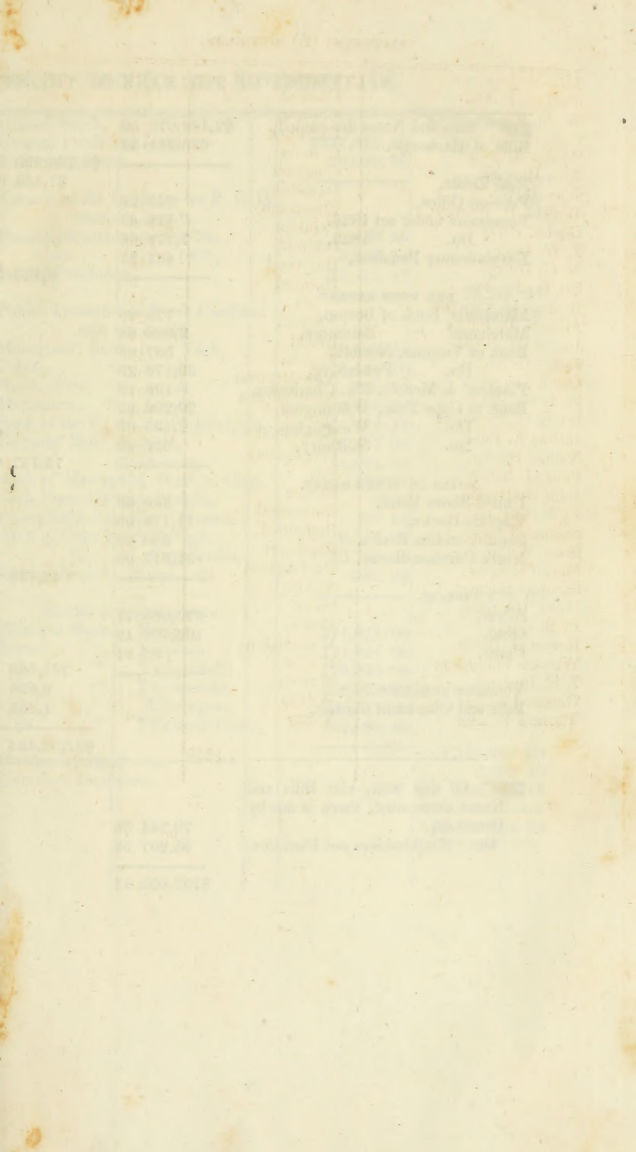
E

Statement of Insolvents allowed by the Comptroller to Sheriffs in the settlement of the Taxes of 1838 and 1839.



| SHERIFFS. | COUNTIES. | No. OF POLLS. | AMOUNT. |
|-------------------|-------------|------------------|----------------|
| William D. Petway | Edgecombe | 32 | 6 40 |
| James R. Riddick | Gates | 24 | 4 80 |
| Curtis Thompson | Sampson | 91 | 18 20 |
| James Quinn | Lincoln | 56 | 11 20 |
| Nathan Bagley | Perquimons | 57 | 11 40 |
| John B. Dawson | Craven | 84 | 16 80 |
| Ben. M. Selby | Pitt | 94 | 18 80 |
| J. W. Pearson | Burke | 39 | 7 80 |
| Thomas Wilson | Yancy | 39 | 7 80 |
| J. W. Carson | Rutherford | 93 | 18 60 |
| James Simmons | Halifax | 72 | 14 40 |
| Joshua A. Pool | Pasquotank | 36 | 7 20 |
| E. J. Peebles | Northampton | 93 | 18 60 |
| A. Carmichael | Wilkes | 56 | 11 20 |
| J. W. Taylor | Greene | 9 | 1 80 |
| Thomas L. Lea | Caswell | 44 | 8 80 |
| John H. Smith | Davidson | 15 | 3 00 |
| Samuel Terry | Richmond | 30 | 6 00 |
| Nelson G. Howell | Haywood | 31 | 6 20 |
| William Thompson | Wayne | 62 | 12 40 |
| Isaac White | Randolph | 49 | 8 00 |
| John H. Hardie | Rowan | 84 | 16 80 |
| W. D. Rascoe | Chowan | 24 | 4 80 |
| Henry G. Hampton | Surry | 40 | 8 00 |
| E. K. Jiggitts | Hertford | 50 | 10 00 |
| J. S. Jones | Warren | 95 | 19 00 |
| P. B. Burt | Wake | 70 | 14 00 |
| Isaac Baxter | Currituck | 26 | 5 20 |
| Joseph M. Bogle | Iredell | 159 | 31 80 |
| John Harman | Chatham | 136 | 27 20 |
| Owen Fennel | New-Hanover | 24 | 4 80 |
| Allen Grist | Beaufort | 2 | 40 |
| Thomas Foster | Davie | 53 | 10 60 |
| Young H. Allen | Anson | 90 | 18 00 |
| Eben Hearne | Montgomery | 65 | 13 00 |
| David W. Saunders | Onslow | 57 | 11 40 |
| Alex. Johnson | Cumberland | 102 | 20 40 |
| Robert B. Davis | Washington | 24 | 4 80 |
| James W. Doke | Guilford | 111 | 22 20 |
| Salathiel Stone | Stokes | 155 | 31 00 |
| | 1838 | | <hr/> \$492 80 |
| Young H. Allen | Anson | 84 | 16 80 |
| J. H. Pearson | Burke | 4 | 80 |
| Willie Jones | Buncombe | 13 | 2 60 |
| Alex. Johnson | Cumberland | 74 | 14 80 |
| Allen Grist | Beaufort | 21 | 4 20 |
| Francis McKee | Cherokee | 25 | 5 00 |

STATEMENT (E) CONTINUED.

| | | | |
|--------------------|-------------|-----|----------|
| John B. Dawson | Craven | 80 | 16 00 |
| Thomas L. Lea | Caswell | 91 | 18 20 |
| W. D. Rascoe | Chowan | 16 | 3 20 |
| Isaac Baxter | Currituck | 20 | 4 00 |
| George Dill | Carteret | 19 | 3 80 |
| John Harman | Chatham | 96 | 19 20 |
| John M. Smith | Davidson | 34 | 6 80 |
| William D. Petway | Edgecomb | 31 | 6 20 |
| Guston Perry | Franklin | 106 | 21 20 |
| J. W. Doke | Guilford | 105 | 21 00 |
| N. G. Howell | Haywood | 40 | 8 00 |
| Ed. K. Jiggitts | Hertford | 9 | 1 80 |
| Richard G. Cowper | do | 45 | 9 00 |
| Allen S. Ballinger | Johnson | 27 | 5 40 |
| Joseph M. Bogle | Iredell | 78 | 15 60 |
| James Quinn | Lincoln | 15 | 3 00 |
| Owen Fennel | New-Hanover | 30 | 6 00 |
| E. J. Peebles | Northampton | 121 | 24 20 |
| David W. Saunders | Onslow | 104 | 20 80 |
| Joshua A. Pool | Pasquotank | 28 | 5 60 |
| Nathan Bagley | Perquimons | 105 | 21 00 |
| Ben. M. Selby | Pitt | 94 | 18 80 |
| John H. Hardie | Rowan | 74 | 14 80 |
| J. W. Carson | Rutherford | 52 | 10 40 |
| Samuel Terry | Richmond | 48 | 9 60 |
| Isaac White | Randolph | 5 | 1 00 |
| Martin Roberts | Rockingham | 55 | 11 00 |
| Salathiel Stone | Stokes | 121 | 24 20 |
| H. G. Hampton | Surry | 57 | 11 40 |
| P. B. Burt | Wake | 68 | 13 60 |
| Robert B. Davis | Washington | 28 | 5 60 |
| William Thompson | Wayne | 61 | 12 20 |
| J. S. Jones | Warren | 49 | 9 80 |
| George Philips | Wilkes | 81 | 16 20 |
| Thomas Wilson | Yancy | 30 | 6 00 |
| | 1839 | | \$448 80 |



STATEMENT OF THE BANK OF THE STATE

| | | |
|---|------------------------------|-----------------------------|
|  Bills and Notes discounted, Bills of Exchange, | \$2,102,078 50 636,211 54 | \$2,738,290 04 37,433 91 |
| Real Estate, | | |
| Pension Office, | 243 22 | |
| Pensioners under act 1828, | 123 43 | |
| Do. 1832, | 7,272 08 | |
| Revolutionary Pensions, | 487 77 | 8,126 50 |
| DUE FROM BANKS. | | |
| Merchants' Bank of Boston, | 772 28 | |
| Merchants' " Baltimore, | 2,958 04 | |
| Bank of Virginia, Norfolk, | 587 03 | |
| Do. Petersburg, | 39,178 29 | |
| Planters' & Mech's. B'k. Charleston, | 195 79 | |
| Bank of Cape Fear, Wilmington, | 29,292 95 | |
| Do. Washington, | 1,495 03 | |
| Do. Salisbury, | 657 68 | 75,137 09 |
| NOTES OF OTHER BANKS. | | |
| United States Bank, | 359 00 | |
| Virginia Banks, | 11,115 00 | |
| South Carolina Banks, | 360 00 | |
| North Carolina Banks, | 31,613 00 | 43,438 00 |
| SPECIE. | | |
| Silver, | 275,083 77 | |
| Gold, | 106,492 19 | |
| Cents, | 86 91 | 381,662 87 |
| Vouchers unadjusted, | | 6,953 81 |
| Bills and Checks in transitu, | | 1,382 72 |
| | | \$3,292,424 94 |
|  Of this item, viz: Bills and Notes discounted, there is due by Directors, | 79,744 58 | |
| Do. Stockholders not Directors, | 58,207 53 | |
| | \$137,952 11 | |

NORTH CAROLINA, 23rd NOVEMBER, 1839.

| | | |
|--|--------------|----------------|
| Capital Stock, | | \$1,500,000 00 |
| General Profit and Loss, | \$227,885 69 | |
| Contingent Fund, | 50,000 00 | |
| | <hr/> | 257,885 69 |
| Treas'r. of the U. States for P. O. D. | | 21 25 |
| PENSION OFFICE. | | |
| Pensioners under act of 1836, | 498 55 | |
| do 1838, | 3,806 54 | |
| Invalid Pensioners, | 11,413 17 | |
| | <hr/> | 15,718 26 |
| Public Treasurer of North Carolina, | | 16,528 28 |
| DUE TO BANKS. | | |
| Merchants' Bank, New York, | 50,289 54 | |
| Fulton, " do | 1,548 16 | |
| North River, " do | 960 16 | |
| Mechanics, " do | 6,790 99 | |
| Bank of the U. States, Philadelphia, | 7,244 44 | |
| Farmers' Bank, Norfolk, | 3,497 88 | |
| do Petersburg, | 14,071 34 | |
| Bank of Metropolis, Wash'n. City, | 228 91 | |
| Bank State Alabama, Mobile, | 2 00 | |
| Union Bank, La. New Orleans, | 27 25 | |
| Bank of Cape Fear, Raleigh, | 9,372 80 | |
| do Fayetteville, | 30,799 39 | |
| Agency Bank U. States, do | 597 23 | |
| | <hr/> | 125,450 09 |
| NOTES IN CIRCULATION. | | |
| Principal Bank, Raleigh, | 271,871 00 | |
| Branch " Newbern, | 171,654 00 | |
| do " Tarborough, | 173,835 00 | |
| do " Fayetteville, | 226,653 00 | |
| do " Wilmington, | 246,327 00 | |
| do " Elizabeth City, | 104,905 00 | |
| | <hr/> | 1,195,245 00 |
| Dividends unpaid, | | 2,397 25 |
| Individual Deposites, | | 179,199 12 |
| | | <hr/> |
| | | \$3,292,424 94 |

STATE OF THE BANK OF CAPE FEAR ON THE MORNING OF MONDAY THE 1st OF JULY 1839.

| | | | |
|----------------------|-----------------------|----------------------------------|-----------------------|
| Capital Stock | \$1,382,100 00 | Specie | 203,052 00 |
| Increased Capital | 7,881 00 | Deposites in Foreign Banks | 460,935 00 |
| Notes in Circulation | 1,086,268 00 | Deposites of other Banks on hand | 89,206 00 |
| Deposites | 222,563 00 | Due by Banks in North Carolina | 45,883 00 |
| Dividends Unpaid | 1,265 00 | Real estate | 89,636 00 |
| Due to Banks | 51,591 00 | Debt | 1,945,025 00 |
| Profit and Loss | 82,066 00 | | |
| | <u>\$2,833,734 00</u> | | <u>\$2,833,734 00</u> |

JOHN HILL, *Cashier.*

STATE OF THE BANK OF CAPE FEAR ON MONDAY MORNING THE 16th DECEMBER, 1839.

| | | | |
|----------------------|-----------------------|--------------------------------|-----------------------|
| Capital Stock | \$1,382,100 00 | Specie | 153,285 00 |
| Increased Capital | 47,661 00 | Deposites in Foreign Banks | 330,917 00 |
| Notes in Circulation | 947,829 00 | Notes of Foreign Banks on hand | 92,914 00 |
| Deposites | 225,316 00 | Notes of No. Ca. Banks " " | 61,593 00 |
| Dividends Unpaid | 1,310 00 | Due by Banks in North Carolina | 46,576 00 |
| Due to Banks | 38,228 00 | Real Estate | 91,383 00 |
| Profit and Loss | 80,567 00 | Debt | 1,946,343 00 |
| | <u>\$2,723,011 00</u> | | <u>\$2,723,011 00</u> |

JOHN HILL, *Cashier.*

I
STATE OF THE BANK OF CAPE FEAR ON THE MORNING OF WEDNESDAY THE 1st JULY 1840

| | Capital Stock. | Increased Capital. | Notes Issued. | Deposites. | Dividends Unpaid. | Due to Banks. | Profit and Loss. | Specie. | Deposites in For- eign B'ks. | Notes of F'n B'ks on hand. | Notes of N. C. Bks on hand. | Due by Banks in No. Ca. | Notes of this Bank on hand. | Bills of Exchange in Suit. | Real Estate. | Debt. |
|--------------|-------------------|-----------------------|------------------|----------------|----------------------|------------------|---------------------|----------------|------------------------------------|----------------------------------|-----------------------------------|-------------------------------|-----------------------------------|----------------------------------|-----------------|------------------|
| At Bank | 1,382,100 | 89,094 | 1,398,257 | 50,241 | 36,094 | 65,097 | 22,909 | 150,581 | 218,966 | 30,536 | 15,047 | 5,372 | 168,730 | 7,508 | 14,464 | 439,639 |
| Fayetteville | " | " | " | 47,891 | " | 951 | 1,237 | 89,535 | 154,749 | 7,910 | 17,435 | 28,729 | 122,263 | " | 14,000 | 428,024 |
| Salem | " | " | " | " | " | " | 1,050 | 1,267 | " | 5,417 | 6,319 | " | 12,761 | " | 2,007 | 198,418 |
| Hillsborough | " | " | " | 9,690 | " | " | 1,016 | 2,700 | 1,010 | 198 | 617 | " | 14,263 | " | " | 196,076 |
| Washington | " | " | " | 22,783 | " | 13,838 | 955 | 13,961 | 77,486 | 423 | 3,484 | 187 | 92,253 | " | 325 | 113,646 |
| Salisbury | " | " | " | 5,919 | " | " | 869 | 2,183 | 4,800 | 11,030 | 1,862 | " | 22,785 | " | 6,290 | 209,956 |
| Raleigh | " | " | " | 59,062 | " | 27 | 1,564 | 6,384 | 37,358 | 5,183 | 5,671 | 6,069 | 60,418 | 1,502 | 11,339 | 161,508 |
| | <u>1,382,100</u> | <u>89,094</u> | <u>1,398,257</u> | <u>195,586</u> | <u>36,094</u> | <u>79,913</u> | <u>29,600</u> | <u>266,611</u> | <u>494,369</u> | <u>60,697</u> | <u>50,435</u> | <u>40,357</u> | <u>493,473</u> | <u>9,010</u> | <u>48,425</u> | <u>1,747,267</u> |

RECAPITULATION.

Capital Stock
Increased Capital
Notes in Circulation
Deposites
Dividends Unpaid
Due to Banks
Profit and loss


1,382,100 00
89,094 00
904,784 00
195,586 00
36,094 00
79,913 00
29,600 00
\$2,717,171 00


Specie
Deposites in Foreign Banks
Notes of Foreign Banks on hand
Notes of No. Ca. do do
Due by Banks in North Carolina
Bills of Exchange in Suit
Real Estate
Debt

266,611 00
494,369 00
60,697 00
50,435 00
40,357 00
9,010 00
48,425 00
1,747,267 00
\$2,717,171 00

JOHN HILL, Cashier.

STATE OF THE MERCHANT'S BANK OF NEWBERN ON FRIDAY THE 31st OF MAY, 1839.

| | |
|--|---------------------|
| Gold and silver | \$32,607 00 |
| Notes of the Bank of the United States | 12,310 00 |
| Notes and checks of the Bank of N. C. | 9,225 77 |
| Real Estate | 6,334 34 |
|  Bills Receivable | 284,072 00 |
| Bank of the United States | 2,388 64 |
| Merchant's Bank, Baltimore | 1,656 65 |
| Fulton Bank, New York | 21,480 37 |
| Bank of Cape Fear, Washington | 16,723 22 |
| Bills of Exchange | 33,176 42 |
| | <u>\$419,974 41</u> |

 Of the above sum of \$284,072, there is due from Stockholders, not Directors, \$38,487
And due from Directors, 3,025

| | |
|---------------------------|---------------------|
| Capital Stock | 225,000 00 |
| Notes in Circulation | 144,145 00 |
| Deposites | 41,916 14 |
| Dividend No. 5, Unpaid | 45 00 |
| Do. No. 6, just Declared | 7,875 00 |
| Profit and Loss (surplus) | 993 27 |
| | <u>\$419,974 41</u> |

Major C. L. HINTON, *Public Treasurer.*

SIR,

Above I present you with exhibit of this Bank, agreeably to its Charter.


The Bank has declared a semi annual dividend of $3\frac{1}{2}$ per cent.

With great respect,

Your ob't. serv't.

JOHN W. GUNION, Cash'r.

STATE OF THE MERCHANTS' BANK OF NEWBERN ON 'THURSDAY 28th NOVEMBER, 1839.

 Of the above amount \$20,349 90, there is due from Stockholders (not Directors) \$34,007
And due from Directors 7,275

STATE OF THE MERCHANT'S BANK OF NEWBERN ON SATURDAY THE 30th MAY, 1840.

| | | | |
|-------------------------------------|--------------|--|--------------|
| Gold and Silver, | 31,592 13 | Capital Stock, | 225,000 00 |
| Notes of Bank United States, | 2,552 00 | Deposites, | 39,478 24 |
| do do Cape Fear, | 10,695 00 | Notes in circulation, | 118,895 00 |
| do and checks of Bank of the State, | 9,768 25 | Dividend No. 6, unpaid, | 51 50 |
| | | do do | 198 00 |
| Real Estate, | | Bank of Cape Fear, | 229 50 |
| Bills receivable, | 295,389 52 | Dividend No. 8, just declared, 3 1-2, | 27,385 77 |
| do do in suit, | 5,326 00 | Profit and Loss, (surplus) after div. No. 8. | 7,875 00 |
| | | | 2,376 47 |
| Bills of Exchange, | | | |
| Bank of Cape Fear, Washington, | 22,979 62 | | \$421,239 98 |
| Fulton Bank, New York, | 12,311 40 | | |
| Merchants' Bank, Baltimore, | 1,095 13 | | |
| Bank of the United States, | 1,478 90 | | |
| | | | |
| | 37,865 14 | | |
| | | | |
| | \$421,239 98 | | |

Of the above amount of \$300,715 52, there is due from
 Stockholders (not Directors) \$12,946
 And due from Directors 7,575

CHARLES L. HINTON, Esq. *Public Treasurer.*

Sir:—In obedience to the Charter of the Bank, I enclose you herewith a Sheet of Balances, which exhibits, as you will perceive, the condition of the Institution on the 30th of May just past.

Merchant's Bank of Newbern, June 4th, 1830.

I have the honor to be, your ob't serv't,
 MATHIAS E. MANLY, *President.*

of the condition of the institution and the amount of the fund.

of the condition of the institution and the amount of the fund.

of the condition of the institution and the amount of the fund.

of the condition of the institution and the amount of the fund.

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of the condition of the institution and the amount of the fund.

of the condition of the institution and the amount of the fund.

of the condition of the institution and the amount of the fund.

WILLIAM E. DAVIS, President

of the condition of the institution and the amount of the fund.

11-11-11

11-11-11

of the condition of the institution and the amount of the fund.

No. 5.

LEGISLATURE OF NORTH CAROLINA:

RALEIGH, NOVEMBER, 1840

REPORT

FROM THE

COMPTROLLER'S DEPARTMENT

OF

NORTH CAROLINA,

TO THE

GOVERNOR OF THE STATE,

SHOWING

THE RECEIPTS AND DISBURSEMENTS

AT THE

TREASURY DEPARTMENT,

FOR THE

Fiscal Year, ending November 1, 1839,

And ordered to be re-printed by Resolution of General Assembly, passed in 1840.

RALEIGH:

THOS. J. LEMAY, PRINTER FOR THE LEGISLATURE.

1840.

EXECUTIVE OFFICE, N. C. }
RALEIGH, Dec. 11th, 1839. }

GENTLEMEN: I hand you herewith a letter from the Hon. Comptroller of State, accompanied by a Report of the Finances of this State for the fiscal year ending October 31st, 1839.

In obedience to the twenty-third chapter of the Revised Statutes, I have to request that the said letter and accompanying Report be published in your paper, the Raleigh Register and Standard, Newbern Spectator and Salisbury Watchman.

I am, most respectfully,

Your obedient servant,

EDWARD B. DUDLEY.

THOS. J. LEMAY, }
HUGH McQUEEN, } Editors Raleigh Star.

COMPTROLLER'S OFFICE, }
 NOVEMBER 20th, 1839. }

SIR: In obedience to an act of the General Assembly of North Carolina, passed at the session of 1836 and 7, entitled "an act concerning the Comptroller's Office," I have the honor to hand you herewith a Report, shewing the receipts and disbursements at the Public Treasury of North Carolina, from the first day of November, 1838, to the 31st October, 1839, inclusive.

I have the honor to be,

With great respect,

Your obedient servant,

WM. F. COLLINS, *Compt.*

His Ex. E. B. DUDLEY, Governor N. C.

DR.

D. W. Courts, Treasurer of the Literary Fund,

| | | |
|---------|---|-------------|
| 1838 | | |
| Nov. 1. | To balance due President and Directors of the Literary Fund of N. C. on the 1st day of November, 1838, | \$27,285 11 |
| | " Cash received for entries of vacant land as per receipts, numbering from 483 to 1121 inclusive, | 2,623 72 |
| | " Cash received of Joseph Fowler, auctioneer of Craven county, in full for duties imposed on sales at auction, | 72 19 |
| | " Cash received of Henry Dewey, in full of his auction tax acc't. for duties imposed, | 39 51 |
| | " Cash received of Lewis B. Myers, auctioneer, of Craven, in full of his auction tax accounts, | 6 15 |
| | " Cash received of the President <i>ex officio</i> of the Board of Internal Improvements, as interest on loans made by said Board, and appropriated to the Literary Fund, | 1,578 10 |
| Dec. 1. | " Cash received for entries of vacant land this month, per receipts, numbering from 1121 to 2170, inclusive, | 5,622 77 |
| | " Cash received of Andrew Joyner, Treasurer of the Roanoke Navigation Company, as dividends No. 5 and 6, of 1 1-2 per cent., on 500 shares of stock held by the State, and appropriated to Literary Fund, | 1,500 00 |
| 1839 | | |
| Jan'y. | " Cash received for entries of vacant land during this month, per receipts, numbering from 1 to 74, inclusive, | 272 00 |
| | " Cash received of Charles Dewey, Cashier, being a dividend of 5 per cent. on 5,000 shares of stock in the Bank of the State, and held by the President and Directors of the Literary Fund of N. Carolina in said Bank, | 25,000 00 |
| | " Cash received of E. H. Wingate, Cashier being a dividend of five per cent. on 5,207 shares of stock held by the President and Directors of the Literary Fund of N. Carolina, in the Bank of Cape Fear, | 26,035 00 |
| | " Cash received of Secretary of Literary Board, being interest on loans by the Board of Literature, | 2,668 63 |
| | " Cash received of C. C. Battle, being interest on monies loaned by the Board of Internal Improvements, and appropriated to the Literary Fund of North Carolina, | 7,382 55 |
| | " Cash received of Secretary of Literary Board, being amount of principal on loans | |

in account with the President & Directors of the Literary Fund.

Cr.

| | | | |
|---------|---|-------|----|
| 1838 | | | |
| Nov. 1 | By Cash paid loans made by the Literary Board of North Carolina, | 7,800 | 00 |
| | " Cash paid Secretary, to defray the expenses of the Literary Board, to 21 Nov. 1838, | 180 | 00 |
| | " Cash paid E. H. Wingate, Cashier of the Branch Bank of Cape Fear, at Raleigh, from the funds appropriated for draining the swamp lands, amount due C. B. Shaw, as Engineer, | 572 | 67 |
| | " Cash paid Carter and Gibbs, as estimate of their work done on Alligator Canal, to the 23d of November, 1838, | 224 | 85 |
| 1839 | | | |
| Jan'y. | " Cash paid William P. Munford, from the fund set apart for draining the swamp lands of the State, to meet the expenses of the corps of Engineers, to 1st July, 1838, | 1,000 | 00 |
| | " Cash paid C. C. Battle, to be remitted to Wm. P. Munford, acting Engineer, to defray expenses in drawing deeds, &c. by Attorneys Toab and Rodman, | 250 | 00 |
| | " Cash paid C. C. Battle, from the funds set apart for draining the swamp lands, to be remitted to Wm. P. Munford, act'g. engineer, | 500 | 00 |
| | " Cash paid loans made by the Literary Board of North Carolina, | 400 | 00 |
| | " Cash paid Secretary to the Literary Board, to defray the expenses of said Board, up to the 28th January, 1839, inclusive, | 172 | 12 |
| Feb'y. | " Cash paid loan made by the Literary Board of North Carolina, | 1,200 | 00 |
| | " Cash paid Carter and Gibbs, being three fourths of their estimated work on Alligator Canal, out of the fund set apart for draining the Swamp Lands of North Carolina, | 363 | 93 |
| Ap'l 16 | " Cash paid Secretary to the Literary Board, being amount paid by President <i>ex officio</i> of the Board of Literature to R. S. Myers, to defray expenses in draining the swamp lands of Hyde county—see Myers' receipt of the 29th of March, 1839, | 800 | 00 |
| | " Cash paid Secretary to the Literary Board, to defray the expense of Maj. Gwin's visit of examination to drain the swamp lands of | | |

Dr.

D. W. Courts, Treasurer of the Literary Fund,

| | | | |
|----------|--|---------------------|--|
| 1839 | | | |
| | made by said Board, | 3,450 00 | |
| Feb'y. | " Cash received for entries of vacant lands this month, per receipts, numbering from 75 to 93, inclusive, | 58 24 | |
| March. | " Cash received for entries of vacant lands this month, per receipts, numbering from 94 to 124, inclusive, | 112 03 | |
| Ap'l. 16 | " Cash received for entries of vacant lands this month, per receipts, numbering from 125 to 135, inclusive, | 86 97 | |
| | " Cash received of George McNeill, agent for the Cape Fear Navigation Company, as dividend No. 17, of one per cent. on 650 shares of stock in said company, owned by the President and Directors of the Literary Fund, | 650 00 | |
| | " Cash received of Secretary of Literary Board, as principal on monies loaned by said Board, | 3,166 05 | |
| | " Cash received of Secretary to the Literary Board of North Carolina, being interest on loans made by said Board, | 2,202 77 | |
| | | <u>\$109,811 79</u> | |
| 1839 | | | |
| Ap'l. 16 | To balance due President and Directors of the Literary Fund, 16th April, 1839, | 96,278 87 | |

in account with the President and Directors of the Literary Fund. Cr.

| | | |
|----------|---|---------------------|
| 1839 | Hyde county, also to pay for subscription to Farmer's Register, | 69 35 |
| | | <u>\$13,532 .</u> |
| | Balance due President and Directors of Literary Fund, April 16, 1839, | 96,278 87 |
| | | <u>\$109,811 79</u> |
| 1839 | | |
| Ap'l. 16 | By C. L. Hinton, Treasurer of Literary Fund, successor of D. W. Courts, | <u>\$96,278 87</u> |

Dr.

C. L. Hinton, Treasurer of Literary Fund,

| | | | |
|----------|--|----------|--------|
| 1839 | | | |
| Ap'l. 16 | To balance due President and Directors of Literary Fund, on the 16th day of April, 1839, | \$96,278 | 87 |
| Ap'l 30 | " Cash received for entries of vacant lands this month, from the 16th, numbering in receipts from 136 to 144, inclusive, | | 21 36 |
| May. | " Cash received for entries of vacant lands this month, per receipts, numbering from 145 to 162, | | 53 85 |
| | " Cash received of Secretary to the Literary Board, as interest on loans made by s'd board, | 2,565 | 01 |
| | " Cash received of the Secretary as Principal on loans made by the Board of Literature, | 9,205 | 00 |
| | " Cash received of the Cape Fear Navigation Company, being amount of Dividend No. 18 on the State's Stock in said Company, | 650 | 00 |
| June. | " Cash received for entries of vacant land this month per receipts numbering from 163 to 176 inclusive, | | 57 34 |
| July. | " Cash received of the President and Directors of the Bank of the State, being in full of dividend No. 8 of 5 1-4 per cent. declared on the shares of stock held in said Bank by the President and Directors of the Literary Fund of N. C. for the half year ending June 30, 1839, | 26,250 | 00 |
| | " Cash received of the president and Directors of the Bank of Cape Fear, being in full of dividend No. 60 of 4 per cent. declared on 5207 shares of stock held by the President and Directors of Literary Fund for the half year ending June 30, 1839, | 20,828 | 00 |
| | " Cash received of the President and Directors of the Literary Board of N. C., as principal on loans made by said Board, | 25,000 | 00 |
| | " Cash received of the President and Directors of the Literary Board of North Carolina, being interest on monies loaned by the said Board of Literature, | 866 | 66 |
| | " Cash received for entries of vacant land as per receipts, numbering from 177 to 199 inclusive, | | 159 54 |
| Aug. | " Cash received for entries of vacant lands this month per receipts, numbering from 200 to 241 inclusive, | | 151 68 |
| | " Cash received of Sheriffs, being amount of tax paid by them, derived from retailers of spirituous liquors, | | 398 79 |

in account with the President and Directors of Literary Fund.

CR.

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| 1839 | | | |
| May 30 | By Cash paid R. S. Myers, to defray expenses in draining swamp lands of this State, | \$750 00 | |
| | " Cash paid C. C. Battle, to defray the expenses of the Literary Board up to this day, | 204 00 | |
| July. | " Cash paid George W. Mordecai, President of the Raleigh and Gaston Rail Road Company, being amount of bonds on said Company purchased by order of the Literary Board, | 50,000 00 | |
| | " Cash paid C. C. Battle, to remit to R. S. Myers and W. P. Munford, assistant Engineers, for draining the swamp lands of N. C., | 1,600 00 | |
| Aug. | " Cash paid E. H. Wingate, Cashier, being the first instalment of one hundred and fifty shares of stock in the Bank of Cape Fear, having been subscribed for by the President and Directors of the Literary Board of North Carolina, | 2,300 00 | |
| | " Cash paid Secretary of Board, to remit to the Messrs. S. & E. Averitts, being estimate of work done by them on Pungo Lake and River Canal to 20th July, 1839, | 792 30 | |
| | " Cash paid the Secretary, to defray the expenses of the Board of Literature, | 204 00 | |
| | " Cash paid President of the Raleigh and Gaston Rail Road Company, being amount of bonds purchased by order of the Literary Board of North Carolina, on the 15th March, 1839, which bonds are endorsed by the State, | 50,000 00 | |
| | " Cash paid George W. Mordecai, President of the Raleigh and Gaston Rail Road Company, being amount of bonds on said company purchased by order of the Literary Board, | 10,000 00 | |
| | " Cash paid President <i>ex officio</i> of the Board from the fund of the Literary Fund of N. C., ordered by the Board of Literature to be invested in the bonds of the Wilmington and Raleigh Rail Road Company, | 20,000 00 | |
| Sept. | " Cash paid George W. Mordecai, President of the Raleigh and Gaston Rail Road Company, for three bonds of five thousand dollars each on said Company, by order of the Literary Board, and issued the 2nd Sept. 1839, | 15,000 00 | |
| | " Cash paid President <i>ex officio</i> of Literary Board, to remit to the Messrs. Evaritts, contractors employed to excavate Pungo Canal, and for work done on said canal, | 900 00 | |
| | " Cash paid the Secretary of Literary Board, to remit to R. S. Myers, Engineer on Pungo | | |

Dr.

C. L. Hinton, Treasurer of Literary Fund,

| | | |
|--------|--|-----------|
| 1839 | To cash received of Sheriffs as additional returns for 1838, of tax on retailers of spirits, | 3 76 |
| | " Cash received of the President and Directors of the Literary Board, the same having been loaned the Raleigh and Gaston Rail Road Company, on the 10th October, 1838, | 50,000 00 |
| | " Cash received of the Secretary, as principal on monies loaned by the Literary Board of North Carolina, | 8,658 95 |
| | " Cash received of Secretary to the Literary Board, as interest on loans made by Board of Literature, | 1,505 70 |
| | " Cash received of Secretary to the Board of Internal Improvements, as interest on monies loaned by said Board, and appropriated to the Literary Fund, | 375 00 |
| Sept. | " Cash received for entries of vacant lands during this month per receipts, numbering from 242 to 354 inclusive, | 465 34 |
| | " Cash received from Sheriffs, as a tax imposed on retailers of spirituous liquors in the year 1839, | 2,669 60 |
| | " Cash received of Sheriffs as additional returns for Tavern Tax for 1838, | 15 04 |
| | " Cash received of Perry Carter, Auctioneer of Hertford county, in full of his Auction Tax account, to the 30th of September, 1839, | 22 15 |
| Oct'r. | " Cash received for entries of vacant land this month per receipts, numbering from 354 to 376 inclusive, | 53 09 |
| | " Cash received of Wm. Peck, Auctioneer of Wake county, his Auction Tax account to 1st October, 1839, | 33 79 |
| | " Cash received of S. W. Wilkings, in full of his Auction Tax, as Auctioneer of Cumberland county, to the 1st October, 1839, | 115 61 |
| | " Cash received of S. W. Tillinghast, Auctioneer of Cumberland, in full of his account, to 1st October, 1839, | 30 56 |
| | " Cash received of William Labataux, in full of his Auction Tax account, to the 1st of October, 1839, | 19 42 |
| | " Cash received of Elijah Canaday, in full of his Auction Tax account, to the 1st October, 1839, | 77 |
| | " Cash received of Amos Kimball, in full of | |

in account with the President and Directors of Literary Fund.

CR.

| | | |
|------|--|--------------------|
| 1839 | Lake Canal, | 2,000 00 |
| | " Cash paid George W. Mordecai, President of the Raleigh and Gaston Rail Road Company, being amount of bonds of said company, purchased by order of the Literary B'd. of North Carolina, | 10,000 00 |
| | " Cash paid James Owen, President of the Wilmington and Raleigh Rail Road Company, the same amount having been vested in the like amount of bonds of said company, agreeably to an order of the Board of Literature, | 40,000 00 |
| Oct. | " Balance due President and Directors of Literary Fund, | 42,956 54 |
| | | <hr/> \$246,706 84 |

Dr.

C. L. Hinton, Treasurer of Literary Fund,

| | | |
|--------|--|---------------------|
| 1839 | his Auction Tax account, to the 1st October, 1839, | 156 02 |
| | " Cash received of Joseph S. Fowler, in full of his Auction Tax account, as Auctioneer of Craven county, to the 1st Oct. 1839, | 95 94 |
| | | <u>\$246,706 84</u> |
| Nov. 1 | To balance due President and Directors of the Literary Fund, 1st November, 1839, as per contra, | <u>\$42,956 54</u> |

in account with the President and Directors of Literary Fund,

CR.

1839

Amount brought forward

\$246,706 84

*North Carolina, Comptroller's Office, }
November 1st, 1839. }*

WILLIAM F. COLLINS, *Compt.*

\$260,339 76

217,288 32

\$43,051 44

Dr.

Charles L. Hinton, Treasurer of Literary Fund,

RECAPITULATION OF RECEIPTS,

From 1st November, 1838, to 1st November, 1839.

| | | |
|---|-------------|--------------------|
| Principal on loans by the Lit'ry. Board, | \$99,480 00 | |
| Bank dividends of profit, B'k. of the State, | 51,250 00 | |
| “ “ “ “ Cape Fear, | 46,863 00 | |
| Interest on loans by the Literary Board, | 9,808 77 | |
| “ “ Int. Improvement Board, | 9,335 65 | |
| Entries of vacant lands, | 9,737 95 | |
| Cape Fear Navigation Co'py. dividends, | 1,300 00 | |
| Roanoke, “ “ “ | 1,500 00 | |
| Tax on retailers of spirituous liquors, | 3,087 19 | |
| Tax on sales at auction, | 592 11 | |
| Balance due Lit'y. Fund, 1st Nov. 1838, | 27,285 11 | |
| | | <hr/> |
| | | \$260,239 76 |
| Deduct disbursements from Nov. 1, 1838, | | |
| to Nov. 1, 1839, | | 217,283 22 |
| | | <hr/> |
| Balance due Pres't. & Directors Litera- ry Fund, | | <u>\$42,956 54</u> |

RECAPITULATION OF DISBURSEMENTS,

From 1st November, 1838, to 1st November, 1839.

| | |
|-------------------------------------|--------------|
| Raleigh & Gaston Rail Road bonds, | \$135,000 00 |
| Wilmington & Raleigh R. Road bonds, | 60,000 00 |
| Stock in Cape Fear Bank, | 2,300 00 |
| Pungo Lake Canal, | 2,792 30 |
| Alligator canal, | 588 78 |
| Loans by the Literary Board, | 9,400 00 |
| Draining swamp lands, | 6,372 67 |
| Expenses of the Literary Board, | 829 47 |
| | <hr/> |
| | \$217,283 22 |

Dr. *Daniel W. Courts, Treasurer of Fund for Int. Impt. in act.*

| | | |
|---------|---|-------------|
| 1838 | | |
| Nov. 1 | To balance due President and Directors of fund for Internal Improvements, on the 1st day of November, 1838, | \$3,752 26 |
| | " Cash received of James W. Guinn, atto. by the hands of Jacob Siler, being amount received on Cherokee bonds, placed in his hands for collection, (sale of 1836,) | 4,817 00 |
| | " Cash received of J. S. Dillard and others, Justices of Haywood County Court, being in full of their first, and part of their second bonds given to the State for lands sold by the State at the sale of 1836, | 810 00 |
| Dec'r | " Cash received of Thomas L. Clingman, Atto., amount received by him on Cherokee bonds placed in his hands for collection, (sale of 1836,) | 2,792 53 |
| | " Cash received of J. W. Guinn, by J. W. Patton—amount collected on Cherokee bonds (sale of 1836,) | 200 00 |
| | " Cash received of sundry individuals, being in full and partial payments on bonds given for Cherokee lands in 1836, | 2,325 72 |
| 1839 | | |
| Jan'ry | " Cash received of J. W. Guinn, Atto. the same having been collected on Cherokee bonds, (sale of 1836,) | 3,229 34 |
| | " Cash received of Secretary to the Internal Improvement Board, as principal on loans made by said Board | 2,000 00 |
| | " Cash received of Josiah Dillard and others, Justices of Haywood County Court, on bonds given the State for the purchase of Cherokee lands in 1836, | 100 00 |
| | " Cash received of sundry individuals, on bonds given for the purchase of Cherokee lands in 1836, | 77 73 |
| | " Cash received of E. H. Wingate, Cashier of the Branch Bank of Cape Fear, at Raleigh, being a dividend of five per cent. declared on 112 shares of stock held in the Bank of Cape Fear by the President and Directors of fund for Internal Improvements, | 560 00 |
| 1839 | | \$20,664 58 |
| Ap'l 16 | To balance due President and Directors of the Internal Improvement Fund on 16th April, 1839, as per contra, | \$19,825 00 |

with the President and Directors of Fund for Int. Ipts.

Cr.

| | | | |
|---------|--|-------------|-------------|
| 1838 | | | |
| Dec'r | By cash paid Thomas L. Clingman, being 4 per cent. commissions on five thousand six hundred and fifty-two and a half dollars, (\$5,652 50) which amount has been collected by him on Cherokee bonds, | 232 62 | |
| | " Cash paid Thomas L. Clingman, this amount being remission of interest on Cherokee bonds placed in his hands for collection, | 53 46 | |
| | " Cash paid Secretary to the Internal Improvement Board, to defray expenses of said Board to the 8th December, inclusive; | 176 50 | |
| 1839 | | | |
| Jan'ry | " Cash paid Stephen Birdsall, Clerk to the Internal Improvement Board, | 75 00 | |
| March, | " Cash paid Stephen Birdsall, Clerk of the Board of Internal Improvements, | 69 00 | |
| | " Cash paid Secretary to defray the expenses of the Internal Improvement Board, | 99 50 | |
| April | " Cash paid Secretary to defray expenses of the Board of Internal Improvements, | 83 50 | |
| 16 | Balance due President and Directors of Internal Improvement Fund, 16 April, 1839, | 19,825 00 | |
| | | | \$20,664 53 |
| 1839 | | | |
| Ap'l 16 | By Charles L. Hinton, successor of D. W. Courts, Treasurer of Internal Improvement Fund, | \$19,825 00 | |

Dr. *Charles L. Hinton, Treasurer of Fund for Int. Impts. in act,*

1839

| | | |
|---------|---|------------|
| Ap'l 16 | To Balance due President and Directors of Fund for Internal Improvements as transferred by D. W. Courts, late Treasurer of Internal Improvement Fund, to Charles L. Hinton, his successor, on the 16th day of April, 1839, | 19,825 00 |
| July | " Cash received of E. H. Wingate, Cashier, being in full of dividend No. 60, of 4 per cent. declared on 112 shares of stock in the Bank of Cape Fear, | 448 00 |
| | " Cash received of Secretary to the Internal Improvement Board, as principal on loans made by said Board, | 4,000 00 |
| | " Cash received of W. W. Perry, in full on bonds given for the purchase of Cherokee lands in 1838, | 10 16 |
| | " Cash received in transfers of loans made by the Internal Improvement Board on 28th October, 1838, to pay the third instalment of the State's subscription for stock in the Wilmington and Raleigh Rail Road Company, | 150,000 00 |
| | " Cash received, being amount of loans made by the Internal Improvement Board to the Wilmington and Raleigh Rail Road Company, converted into the payment of the State's subscription of the 12th and 13th instalments of the stock in said company, which, with the amount of eight thousand dollars drawn from the Public Treasury on the 28th April, 1839, makes the full payment of said instalments, | 100,000 00 |
| | " Cash received of President ex officio of the Board of Internal Improvements, the same having been loaned to the Wilmington and Raleigh Rail Road Company on the 29th April, 1839, | 12,000 00 |
| | Also the further sum of four thousand dollars the amount of an individual bond transferred to the said Wilmington and Raleigh Rail Road Company, | 4,000 00 |
| Aug'st | " Cash received of sundry individuals, being full and partial payments on bonds given for the purchase of Cherokee lands in 1838, | 572 75 |
| | " Cash received of sundry individuals, being full and partial payments on bonds given for the purchase of Cherokee lands in 1836, | 187 54 |
| | " Cash received of J. W. Guinn, Atto. by Eli McKee, amount collected on Cherokee bonds purchased at the sale of 1836. | 1,545 00 |

| | | | |
|-------|--|--|--------------|
| 1839 | | | |
| May | By cash paid James S. Green, Treasurer of the Wilmington and Raleigh Rail Road company, being balance of the 13th instalment of the State's subscription of stock in said company, as directed by the Board of Internal Improvements, | | 8,000 00 |
| | " Cash paid Jas. S. Green, Treasurer of Wilmington and Raleigh Rail Road company, the same having been loaned to the said company, agreeably to a resolution of the Board of Internal Improvements, | | 12,000 00 |
| July | " Cash paid S. Birdsall, Clerk to the Board of Internal Improvements, | | 29 00 |
| | " Cash paid President and Directors of the Wilmington and Raleigh Rail Road company, Oct. 24, 1838, in discharge of the State's subscription of stock in said company, being the 3d instalment, | | 152,000 00 |
| | " Cash paid President and Directors of the Wilmington and Raleigh Rail Road company, in full of the 4th and last instalments of the State's subscription for six hundred thousand dollars worth of stock in said company, | | 142,090 00 |
| | " This amount of Cherokee bonds of the sale of 1838 handed over to Gov. Dudley to remit to Moses Addington commissioner of State Road in Cherokee county leading from the town of Franklin in Macon county, across the Nantahala mountains to the new town site called Murphy, | | 1,350 48 |
| Oct'r | " Cash paid expenses of the Board of Internal Improvements, | | 118 50 |
| | | | \$313,507 98 |

Dr. *Charles L. Hinton, Treasurer of Fund for Int. Impts. in act.*

| | | | |
|---------|--|------------------|-----------|
| 1839 | | | |
| Aug'st | To cash received of President ex officio of the Board of Internal Improvements, being principal in part of the bond of the Weldon Toll Bridge company, held by the Board of Internal Improvements, | 5,025 | 00 |
| Sept'er | " This amount received as transfers of Cherokee bonds agreeably to act of Assembly, passed at the session of 1838-9, to the commissioners of the State Road in Cherokee county, | 1,350 | 48 |
| | " Cash received on sundry bonds given by individuals for the purchase of Cherokee lands at the sale of 1838, | 4,467 | 17 |
| Oct'er | " Cash received on individual bonds, given for the purchase of Cherokee lands at the sale of 1838, | 306 | 25 |
| | Balance due Treasurer of Internal Improvement Fund, | 9,770 | 63 |
| | | <u>\$313,507</u> | <u>98</u> |

with the President and Directors of Fund for Int. Impts

Cr.

| | | |
|----------------|---|--------------|
| 1839 | Amount brought forward, | \$313,507 98 |
| 1839 Nov. 1 | By balance due Treasurer of Fund for Internal Improvements on the first day of Nov. 1839, | 9,770 63 |
| | Comptrollers Office, Nov. 1st, 1839. | |
| | WM. F. COLLINS, <i>Comptroller</i> . | |

Dr

Charles L. Hinton, Treasurer of Fund for Int. Impts. in act.

RECAPITULATION OF RECEIPTS

From 1st November, 1838, to 1st November, 1839.

| | |
|---|-------------|
| Cherokee bonds, (sale of 1836,) | \$15,174 86 |
| Cherokee bonds, (sale of 1838,) | 5,356 33 |
| Principal on loans by the Internal Improvement Board, | 11,025 00 |
| Bank dividends, Bank of Cape Fear, | 1,008 00 |
| Transfer by Internal Improvement Board, | 150,000 00 |
| Loan to the Wilmington and Raleigh Rail Road Co. | 116,000 00 |
| Transfer of Cherokee bonds, (of the sale of 1838,) | 1,350 48 |
| J. S. Dillard and others, | 910 00 |
| Balance on hand 1st November, 1838, | 3,752 56 |

| | |
|-------------------------------------|--------------|
| | \$304,576 93 |
| Add balance due 1st November, 1839, | 9,770 63 |

\$314,347 56

RECAPITULATION OF DISBURSEMENTS*From 1st November, 1838, to 1st November, 1839.*

| | |
|--|---------------------|
| For stock in the Wilmington and Raleigh Road Co. | \$300,000 00 |
| Loans to the " " " " | 12,000 00 |
| State Road in Cherokee county, | 1,350 00 |
| Expenses of the Internal Improvement Board, | 478 00 |
| Clerk to the Board of Internal Improvements, | 183 00 |
| Commissions for collecting Cherokee bonds, | 282 62 |
| Remission of interest on Cherokee bonds, | 53 46 |
| | <hr/> |
| | \$314,347 56 |
| | <hr/> |

Dr. *Daniel W. Courts, Public Treasurer, in act. with the*

| | | |
|--------|---|--------------------------|
| 1838 | | |
| Nov. 1 | To balance due North Carolina 1st Nov. 1838, | 37,466 57 |
| | “ Cash received of Edward H. Wingate, Cashier of the Branch Bank of Cape Fear at Raleigh, being in full of the Tax of 1-4 per cent. on the stock owned by individuals in said Bank, | 1,770 29 |
| | “ Cash received of Samuel F. Patterson and Charles L. Hinton, commissioners for the sale of Cherokee lands in 1838, being cash payments made by individuals on their purchases, | 46,450 76 |
| Dec. | “ Cash received of sundry individuals on their bonds, given for the purchase of Cherokee lands in 1838, | 2,643 88 |
| 1839 | | |
| Jan. | “ Cash received of John Roberts, Treasurer of Bancombe Turnpike Company as a dividend of 15 per cent. on stock owned in said company by the State, | 750 00 |
| | “ Cash received of E. H. Wingate, Cashier, being a dividend of 5 per cent. on 10 shares of stock held by the State in the Bank of Cape Fear, | 50 00 |
| | “ Cash received of John Ledford, as part payment on bond given for the purchase of Cherokee lands in 1838, | 161 37 |
| | | <hr/> \$89,292 87 |
| | “ Balance due D. W. Courts, Public Treasurer, 16th April 1839, | 27,121 00 |
| | | <hr/> <hr/> \$116,413 87 |

President and Directors of the Literary Fund.

CR.

| | | | | | |
|----------|--|--|--|--|---------------------|
| 1838 | | | | | |
| Nov. 1 | By disbursements during this month, | | | | 6,104 84 |
| Dec. | " " " " | | | | 7,070 37 |
| 1839 | | | | | |
| Jan. | " " " " | | | | 83,922 80 |
| Feb. | " " " " | | | | 4,218 74 |
| March. | " " " " | | | | 11,907 91 |
| Ap'l. 16 | " " " " | | | | 3,189 21 |
| | | | | | <u>\$116,413 87</u> |
| 1839 | | | | | |
| Ap'l. 16 | By balance due 16th April, 1839, and passed to the credit of Charles L. Hinton, his successor in office, April 16, 1839, | | | | <u>\$27,121 00</u> |

Comptroller's Office,
WM. F. COLLINS, Compt.

The following exhibit the disbursements at the Treasury from 1st November, 1838, to the 16th day of April, 1839:

DISBURSEMENTS.

1838

JUDICIARY.

Nov.

| | |
|--|----------|
| Hon. R. M. Saunders, Judge of Superior Courts of Law and Equity, his half year's salary, 10 cert., | \$975 00 |
|--|----------|

| | |
|--|--------|
| " R. M. Pearson, Judge, his half year's salary, 10 certificates, | 975 00 |
|--|--------|

| | |
|---|--------|
| " John L. Bailey, Judge, his half year's salary, 10 certificates, | 975 00 |
|---|--------|

| | |
|---|--------|
| " John D. Toomer, Judge, his half year's salary, 10 certificates, | 975 00 |
|---|--------|

| | |
|--|--------|
| Wm. H. Washington, Solicitor, 10 certificates, | 200 00 |
|--|--------|

| | |
|--------------------------------|--------|
| John F. Poindexter, " 11 cert. | 220 00 |
|--------------------------------|--------|

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|-----------------------|-------|
| James R. Dodge, " 4 " | 80 00 |
|-----------------------|-------|

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|-----------------------|--------|
| Alexander Troy, " 5 " | 100 00 |
|-----------------------|--------|

| | |
|---------------------|--------|
| David Outlaw, " 8 " | 160 00 |
|---------------------|--------|

| | |
|--|-------|
| J. R. J. Daniel, Attorney Gen. 3 cert. | 60 00 |
|--|-------|

Dec.

| | |
|--|--------|
| Hon. Frederick Nash, Judge, his half year's salary, 11 cert. | 975 00 |
|--|--------|

| | |
|--|--------|
| " John M. Dick, Judge, his half year's salary, 6 certificates, | 975 00 |
|--|--------|

| | |
|------------------------------------|-------|
| James R. Dodge, Solicitor, 3 cert. | 60 00 |
|------------------------------------|-------|

| | |
|-----------------------|-------|
| Alexander Troy, " 1 " | 20 00 |
|-----------------------|-------|

| | |
|---------------------------------------|-------|
| Jno. R. J. Daniel, Atto. Gen. 1 cert. | 20 00 |
|---------------------------------------|-------|

1839

Jan'y.

| | |
|---|--------|
| Hon. Wm. Gaston, Judge of Supreme Court, his 4th quarter salary, ending 31st Dec. 1838, | 625 00 |
|---|--------|

| | |
|---|--------|
| " Thomas Ruffin, Chief Justice, his 4th quarter salary, ending 31st December, 1838, | 625 00 |
|---|--------|

| | |
|--|--------|
| " Joseph J. Daniel, Judge of Supreme Court, his 4th qr. salary, ending 31st Dec. 1838, | 625 00 |
|--|--------|

| | |
|--|--------|
| John R. J. Daniel, Atto. Gen., compensation for attending term of Supreme Court, | 100 00 |
|--|--------|

Jan'y.

| | |
|---|--------|
| Thos. P. Devereux, Reporter to the Supreme Court, his half year's salary, | 150 00 |
|---|--------|

| | |
|---|--------|
| Turner & Hughes, for printing Supreme Court Reports of N. C., | 447 18 |
|---|--------|

| | |
|--|--------|
| Fabius J. Haywood, room rent for the use of Sup'm. Court of N. C., | 200 00 |
|--|--------|

| | |
|------------------------------------|--------|
| James W. Guinn, solicitor, 9 cert. | 180 00 |
|------------------------------------|--------|

March.

| | |
|-----------------------------------|--|
| Paschal B. Burt, for attending on | |
|-----------------------------------|--|

| | | |
|--------|--|-------------------|
| 1839 | Supreme Court, term of 1838, | \$130 00 |
| | John L. Henderson, Clerk to the Supreme Court, his half year's salary, ending 31st December, 1838, also for recording and books for the use of the office, | 504 10 |
| | J. R. J. Daniel, Atto. Gen. 3 cert. | 60 00 |
| | James R. Dodge, solicitor, 4 " | 80 00 |
| March. | David Outlaw solicitor, 3 cert. | 60 00 |
| Ap'l. | Hon. Thomas Ruffin, Chief Justice, his first qr. salary as Judge of Supreme Court, | 625 00 |
| | " William Gaston, Supreme Court Judge, his first quarter salary ending 1st April, 1839, | 625 00 |
| | " Joseph J. Daniel, Supreme Court Judge, his 1st qr. salary, ending 1st April, 1839, | 625 00 |
| | John R. J. Daniel, Atto. Gen. 3 cert. | 60 00 |
| | David Outlaw, solicitor, 1 " | 20 00 |
| | | <hr/> \$12,511 28 |

GENERAL ASSEMBLY.

| | |
|---------------------------------------|--------|
| Andrew Joyner, Speaker of the Senate, | 220 80 |
| J. O'K. Williams, Member | 176 40 |
| S. L. Arrington, | 159 00 |
| Wm. Albright, | 164 20 |
| Thomas Bunting, | 148 00 |
| Alfred Moy, | 169 00 |
| William B. Shepard | 196 00 |
| Archibald McDiarmid, | 149 50 |
| David S. Reid, | 169 00 |
| Josiah Houlder, | 155 00 |
| John Exum, | 162 00 |
| William W. Cherry, | 176 50 |
| Hodge Rahbun, | 214 12 |
| John W. Williams, | 164 60 |
| Absalom Myers, | 111 66 |
| John D. Hawkins, | 161 40 |
| Sam'l Whitaker, | 154 20 |
| William R. Holt | 177 00 |
| Stephen Fox, | 185 20 |
| James Kerr, | 166 00 |
| Jesse Cooper | 170 00 |
| Joseph Allison | 162 00 |
| Mathew R. Moore | 179 40 |
| Caleb Etheridge | 184 50 |
| George F. Davidson, | 183 00 |

| | | | |
|--|--------|---|--------|
| John H. Montgomery | " | " | 176 00 |
| Sam'l Ribelin | " | " | 181 20 |
| Meshack Franklin | " | " | 186 20 |
| Rufus K. Speed | " | " | 174 00 |
| Jonathan Redding | " | " | 168 70 |
| Lewis D. Wilson, | " | " | 142 40 |
| Thomas B. Sharpe | " | " | 179 00 |
| Sam'l S. Biddle | " | " | 173 00 |
| James Harper | " | " | 169 00 |
| Thomas Baker | " | " | 207 40 |
| Christopher Melchor | " | " | 180 12 |
| John C. Taylor | " | " | 153 60 |
| Alfred Dockery | " | " | 173 50 |
| James R. Hill | " | " | 165 00 |
| Charles Henry | " | " | 172 00 |
| Joseph M'D. Carson | " | " | 194 00 |
| Edmund Jones | " | " | 170 00 |
| William Moody | " | " | 161 50 |
| Robert Melvin | " | " | 166 40 |
| H. G. Spruill | " | " | 193 00 |
| Enock Foy | " | " | 153 00 |
| Joshua Foy | " | " | 172 00 |
| Michael Rheindhart | " | " | 183 50 |
| Weldon N. Edwards | " | " | 158 60 |
| James T. Morehead | " | " | 169 00 |
| Thomas G. Stone, Principal Clerk | " | " | 396 00 |
| Henry W. Miller, Reading Ditto | " | " | 306 00 |
| William A. Graham, Speaker of the House of Commons | | | 211 20 |
| P. H. Winston | Member | " | 182 70 |
| Frederick J. Hill | " | " | 189 90 |
| Nathaniel Boyden | " | " | 179 00 |
| Hamilton C. Jones | " | " | 178 50 |
| Robert B. Gilliam | " | " | 161 00 |
| John Ellington | " | " | 155 60 |
| Robt. T. Paine | " | " | 193 00 |
| Albert Proctor | " | " | 161 00 |
| Jacob Siler | " | " | 228 00 |
| William Eaton | " | " | 155 40 |
| Junius Amis | " | " | 173 00 |
| Blake W. Braswell | " | " | 171 00 |
| Wm. B. Wadsworth | " | " | 174 00 |
| James T. Miller | " | " | 181 00 |
| Elijah Hester | " | " | 158 00 |
| John S. Guthrie | " | " | 163 00 |
| Saml. Hyman | " | " | 181 80 |
| William Huggins | " | " | 173 50 |
| Major A. Wilcox | " | " | 170 00 |
| Nathaniel G. Rand | " | " | 154 60 |

| | | | |
|--------------------|---|---|--------|
| Manrice Waddell | " | " | 156 00 |
| John A. Young | " | " | 183 00 |
| Joseph P. Caldwell | " | " | 183 00 |
| David Reid | " | " | 165 00 |
| Elijah S. Bell | " | " | 183 00 |
| Horace Robards | " | " | 161 00 |
| Wm. Harris | " | " | 179 00 |
| James Williams | " | " | 167 00 |
| M. Patton | " | " | 204 00 |
| Tilman Blalock | " | " | 205 20 |
| Sam. A. Williams | " | " | 161 00 |
| Wm. B. Lane | " | " | 168 00 |
| Herbert Sims | " | " | 158 60 |
| William Doak | " | " | 169 00 |
| Robert Jones | " | " | 165 00 |
| John Stockard | " | " | 163 80 |
| James M. Mangum | " | " | 157 00 |
| Demsy B. Massy | " | " | 156 00 |
| James M. Nye | " | " | 198 00 |
| Curtis Brogdon | " | " | 165 50 |
| Jesse A. Clemment | " | " | 179 50 |
| Wm. D. Crawford | " | " | 179 00 |
| Isaac Clegg | " | " | 158 20 |
| Rich. P. Cardwell | " | " | 175 00 |
| Moses Chambers | " | " | 159 00 |
| David Thomas | " | " | 169 00 |
| J. R. Rainer | " | " | 179 50 |
| John McWilliams | " | " | 175 40 |
| Zebidee Rush | " | " | 170 20 |
| Wm. W. Peden | " | " | 190 20 |
| Kennith Rayner | " | " | 178 40 |
| C. H. Matthews | " | " | 174 00 |
| James M. Covington | " | " | 177 00 |
| Oliver W. Holland | " | " | 189 50 |
| Duncan McLaurin | " | " | 173 60 |
| Charles Brummell | " | " | 175 00 |
| Thomas Howerton | " | " | 156 00 |
| Philip Brittain | " | " | 208 00 |
| Wilie A. Blount | " | " | 178 00 |
| George Dunlap | " | " | 185 00 |
| Daniel McNeill | " | " | 110 00 |
| James Tomlinson | " | " | 157 20 |
| Elias Barns | " | " | 157 00 |
| Michael Oglesby | " | " | 187 00 |
| John Foreman | " | " | 158 00 |
| Jesse Lindsey | " | " | 169 00 |
| Charles McCleese | " | " | 193 00 |
| Augustus Smith | " | " | 177 00 |
| James Stafford | " | " | 176 00 |

| | | | |
|-----------------------|---|---|--------|
| Burges Bell | " | " | 178 60 |
| Levi Walker | " | " | 165 00 |
| Caleb Irwin | " | " | 183 20 |
| James T. Orr | " | " | 187 20 |
| Ford Taylor | " | " | 160 60 |
| Littleton A. Guinn | " | " | 166 20 |
| David Bogle | " | " | 182 00 |
| Raleigh Roebuck | " | " | 164 00 |
| Whitmel Stallings | " | " | 184 00 |
| Timothy Underwood | " | " | 156 00 |
| James C. Gorham | " | " | 171 00 |
| Joseph Kenan | " | " | 224 00 |
| James H. Jarman | " | " | 163 00 |
| George Thomas | " | " | 173 20 |
| Thomas Pemberton | " | " | 176 00 |
| William W. Daniel | " | " | 167 40 |
| E. Larkins | " | " | 177 00 |
| David C. Guyther | " | " | 169 00 |
| Tilman Farrar | " | " | 193 00 |
| Herrod Faison | " | " | 131 40 |
| Elisha P. Miller | " | " | 190 20 |
| William J. T. Miller | " | " | 194 50 |
| William E. Mills | " | " | 193 00 |
| John H. McLaughlin | " | " | 177 50 |
| Richard C. Puryear | " | " | 176 00 |
| William M. Munday | " | " | 185 40 |
| Alfred Perkins | " | " | 177 50 |
| Eli Petty | " | " | 186 40 |
| O. K. Tuton | " | " | 165 70 |
| Benjamin Trollinger | " | " | 154 40 |
| Dickson Sloan | " | " | 144 00 |
| Hampton Sullivan | " | " | 165 50 |
| William P. Williams | " | " | 144 40 |
| Michael Hoke | " | " | 180 00 |
| Stephen Hollingsworth | " | " | 148 50 |
| Green W. Caldwell | " | " | 179 00 |
| William M. Carson | " | " | 194 40 |
| Robert Bryant | " | " | 152 00 |
| William S. Baker | " | " | 161 60 |
| Lewis Bond | " | " | 173 50 |
| B. Pollock | " | " | 132 00 |
| George T. Barksdale | " | " | 148 00 |
| John H. Bedford | " | " | 197 20 |
| John S. Burgess | " | " | 159 50 |
| James Blount | " | " | 166 70 |
| Windal Davis | " | " | 146 00 |
| Edward J. Erwin | " | " | 184 80 |
| Spier Whitaker | " | " | 139 60 |
| Thomas Wilson | " | " | 166 00 |

| | | | |
|--|---------|---|-------------------|
| John Killian | " | " | 186 80 |
| Charles Manly, Principal Clerk, | " | " | 378 00 |
| Edmund B. Freeman, Reading | " | " | 318 00 |
| Thos. L. West, Engrossing | " | " | 204 00 |
| Gold Hoyt | " | " | 222 00 |
| James Drake | " | " | 219 00 |
| Alfred Meye, Assistant | " | " | 4 00 |
| H. G. Spruill | " | " | 4 00 |
| Duncan McRae | " | " | 8 00 |
| Thos. B. Wheeler, Door Keeper, | Senate | | 169 00 |
| Green Hill | " | " | 156 80 |
| James Page | Commons | | 177 00 |
| Thomas J. Anderson | " | " | 160 00 |
| R. M. Jones, Firewood furnished | | | 229 25 |
| Sam. Jones, Cutting | " | | 20 00 |
| James Page, for Furniture | | | 98 23 |
| Anderson, Hill, Page & Wheeler per Resolut'n | | | 100 00 |
| Benj. B. Smith, Compensation for the use of his House occupied by the Legislature | | | 1,250 00 |
| D. Royster, by Resolution | | | 13 50 |
| William Ashly, do. | | | 48 25 |
| Ashbern Barnes, do. | | | 15 00 |
| Green Hill, do. | | | 20 00 |
| | | | <hr/> \$33,795 93 |

1839

EXECUTIVE DEPARTMENT.

| | | |
|--------|--|------------------|
| Jan'y. | C. C. Battle, Gov. Dudley's 4 quarter salary, 1838, | 500 00 |
| | C. C. Battle, Private Secretary, his 4 quarter salary, 1838, | 75 00 |
| April. | C. C. Battle, Gov. Dudley's 1st quarter salary, 1839, | 500 00 |
| | C. C. Battle, Private Secretary, his 1st quarter salary, 1839, | 75 00 |
| | | <hr/> \$1,150 00 |

TREASURY DEPARTMENT.

1839

| | | |
|--------|---|------------------|
| Jan'y. | D. W. Courts, Public Treasurer, his 4 quarter salary, 1838, | 375 00 |
| | Stephen Birdsall, clerk, his 4 quarter salary, 1838, | 125 00 |
| M'ch. | D. W. Courts, his 1st quarter salary, 1839, | 375 00 |
| | Stephen Birdsall, clerk, his 1st quarter salary, 1839, | 125 00 |
| | | <hr/> \$1,000 00 |

STATE DEPARTMENT.

| | | | |
|--------|--|-------------------|----------|
| 1839 | | | |
| Jan'y. | William Hill, Secretary of State, his 4 quarter salary, 1838, | 200 00 | |
| April. | William Hill, Secretary of State, his 1st quarter salary, 1839, | 200 00 | |
| | | <u> </u> | \$400 00 |

COMPTROLLER'S DEPARTMENT.

| | | | |
|--------|--|-------------------|----------|
| Jan'y. | William F. Collins, Comptroller of Public Accounts, his 4 qr. salary, | 250 00 | |
| April. | William F. Collins, do. 1st do. | 250 00 | |
| | | <u> </u> | \$500 00 |

ADJUTANT GENERAL'S OFFICE.

| | | | |
|--------|--|--|----------|
| Jan'y. | Beverly Daniel, Adjutant General, his half year's salary, | | \$100 00 |
|--------|--|--|----------|

TREASURY NOTES BURNT.

| | | | |
|------|--|--|------------|
| 1838 | | | |
| Dec. | Treasury notes burnt by Committee of Finance, | | \$1,290 67 |

POST OFFICE.

| | | | |
|------|---|--|----------|
| Nov. | Thomas G. Scott, Post Master, post- age account, | | \$128 74 |
|------|---|--|----------|

PENSIONERS.

| | | | | |
|--------|---|--------------|-------------------|------------|
| Nov. | Isabella Campbell, her pension claim for | 1837-8, | 80 00 | |
| | Martha Spears, | " " | 100 00 | |
| Dec. | Jesse Halsy, his | " " by reso- | | |
| | lution, | | 150 00 | |
| | Thomas Ewell, | " 1837-8, | 100 00 | |
| | Margaret Beasley, her | " " | 100 00 | |
| | Priscilla Goodwin, | " " " | 60 00 | |
| | Ann Morrison, | " " " | 80 00 | |
| 1839 | | | | |
| Jan'y. | Alexander Taylor, his | " " | 100 00 | |
| | John Rhem, | " " " | 200 00 | |
| | Martha Thompson, her | " reso- | | |
| | lution, | | 100 00 | |
| | | | <u> </u> | \$1,070 00 |

1839

REBUILDING STATE CAPITOL.

| | | | |
|--------|---|-----------|-------------|
| Jan'y. | Paid Stephen Birdsall, Secretary to the Board of Commissioners, | 42,815 81 | |
| Feb'y. | do do do | 3,709 34 | |
| Mc'h. | do do do | 9,821 76 | |
| | | | \$56,346 91 |

1838

PUBLIC PRINTING.

| | | | |
|--------|--|--------|------------|
| Dec. | Joseph Gales & Son, for printing Comptroller's Report in pamphlet form, and other printing, | 127 00 | |
| 1839 | | | |
| Jan'y. | Joseph Gales & Son, by order of the Legislature, also subscription to North American Review, | 110 50 | |
| | Thomas Loring, printing for the Legislature. | 830 83 | |
| | Thomas J. Lemay, printing for the State Offices, | 218 87 | |
| | Thos. J. Lemay, printing for the Literary Board, | 197 50 | |
| | Leonidas B. Lemay, Editor of the Microcosm, for printing blank Cherokee land certificates, for the use of the Comptroller, | 9 25 | |
| | | | \$1,493 95 |

COUNCIL OF STATE.

| | |
|--|---------|
| Paid Council of State, convened to advise the appointment of the Literary Board, | \$86 80 |
|--|---------|

1838

CHEROKEE LAND SALES.

| | | | |
|------|---|--------|--|
| Nov. | Reuben Deaver, principal surveyor of Cherokee lands, | 855 00 | |
| | Contingent expenses incurred by Samuel F. Patterson and Charles L. Hinton, commissioners for sale of Cherokee Lands, in 1838, | 42 50 | |
| Dec. | Charles L. Hinton, commissioner for the sale of Cherokee lands, his compensation, | 490 00 | |
| | John F. Jones, clerk to commissioners, | 152 00 | |
| | Parker Rand, " " | 196 00 | |
| | J. J. Erwin, " " | 144 00 | |

| | | |
|--------|---|------------------|
| 1839 | | |
| Jan'y. | Samuel F. Patterson, commissioner, his compensation, | 559 00 |
| | William Mastin, clerk to the com- missioners, | 140 00 |
| | H. P. Grenell, " " | 140 00 |
| | J. W. Hawkins, " " | 96 00 |
| | Charles L. Hinton, for counterfeit twenty dollar note received at the Cherokee land sale, in payment for lands, | 20 00 |
| April. | Charles L. Hinton and Samuel F. Patterson, being error in return of cash received for the sale of Chero- kee lands in 1838, as commission- ers of sale, | 32 41 |
| | | <hr/> \$2,857 91 |

GOVERNMENT HOUSE.

| | | |
|--------|--|----------|
| Jan'y. | Paid Gov. Dudley, being amount ad- vanced by him in repairs to Gov- ernment House, | \$748 33 |
|--------|--|----------|

CONTINGENCIES.

| | | |
|--------|--|--------|
| 1838 | | |
| Nov. | Paid Thomas J. Lemay, bill of sta- tionery, for the use of the State, | 178 60 |
| Dec. | Turner & Hughes, bill of stationery for the State, | 603 95 |
| | Reuben Deaver, for services rendered in the survey of Cherokee lands in 1838, | 200 00 |
| 1839 | | |
| Jan'y. | William F. Collins, Comptroller, for extra services for keeping record of Cherokee Bonds, | 500 00 |
| | Simon M. Smithwick, late sheriff of Martin county, by resolution, un- der an allowance by the County Court for insolvent polls, | 23 60 |
| | William Hill, to cover expenses for candles and hauling, &c., for the use of the State, | 40 85 |
| | John H. DeCarteret, for binding Devereux and Battle's Reports, | 18 00 |
| | Matthew Waddell, to carry a writ of election to Anson county, by reso- lution of General Assembly, | 24 40 |
| Jan'y. | William Hill, Secretary of State, for copying acts and resolutions of the | |

| | | |
|--------|--|------------------|
| 1839 | | |
| | General Assembly, | 258 50 |
| Jan'y. | William Hill, his 4 qr. salary as librarian, | 12 50 |
| | William Hill, for superintending public printing, | 100 00 |
| Feb'y. | Lunsford Lane, for waiting and attending on Executive office, | 24 00 |
| | Bernard Dupuy, for engraving seals for the Comptroller's Office & Literary Board, | 18 60 |
| | John H. DeCarteret, for binding Comptroller's Reports, | 1 50 |
| M'ch. | Myers & Minnis, of New York, for Executive wafers, | 21 00 |
| | C. C. Battle, to remit to W. H. Ayre, of Fayetteville, for his services in superintending pub. arms at Fayetteville, | 98 00 |
| | Resolution of the General Assembly in favor of the Presbyterian church for the use of the Bell, during its session, | 100 00 |
| | William H. Haywood, by resolution, for services rendered the State, | 650 00 |
| | John C. Ehringhaus, as per resolution of the General Assembly, | 8 05 |
| April. | William Hill, Secretary of State, his 1st qr. salary as State Librarian, | 12 50 |
| | | <hr/> \$2,894 05 |

*Recapitulation of Receipts, from the 1st day of Nov. 1838, to
16th of April, 1839.*

RECAPITULATION.

| | |
|---|---------------------|
| Bank Tax, Bank of Cape Fear, | 1,770 29 |
| Cherokee Land Sales, (sale of 1838,) | 49,256 01 |
| Buncombe Turnpike Company, | 750 00 |
| Bank Dividends, Bank of Cape Fear, | 50 00 |
| Balance due North Carolina, Nov. 1, 1838, | \$7,466 57 |
| | <hr/> |
| | \$89,292 87 |
| Balance due Public Treasurer, 16th April, 1839, | 27,121 00 |
| | <hr/> |
| | <u>\$116,413 87</u> |

*Recapitulation of Disbursements from the 1st November, 1838,
to the 16th April, 1839.*

RECAPITULATION.

| | |
|--------------------------------------|---------------------|
| Cherokee Land Sales, (sale of 1838,) | 2,857 91 |
| Executive Department, | 1,150 00 |
| Treasury do. | 1,000 00 |
| State do. | 400 00 |
| Comptroller's do. | 500 00 |
| Adju't. General's Office, | 100 00 |
| Judiciary, | 12,511 28 |
| General Assembly | 33,795 93 |
| Rebuilding State Capitol, | 56,346 91 |
| Treasury Notes burnt, | 1,290 67 |
| Post Office, | 168 04 |
| Pensioners, | 1,070 00 |
| Government House, | 748 33 |
| Public Printing, | 1,493 95 |
| Council of State, | 86 80 |
| Contingencies, | 2,894 05 |
| | <hr/> |
| | <u>\$116,413 87</u> |

Dr.

Charles L. Hinton, Public Tseasurer, in account with the

| | | | |
|---------|---|-----------------|-----------|
| 1839 | | | |
| July | To cash received of E. H. Wingate, cashier, being in full of dividend No. 60, of 5 per cent. declared on 10 shares of stock held in the capital stock of the bank of Cape Fear by the State, for the half year ending 30th June 1839, | | 50 00 |
| Aug'st | " Cash received of Sheriffs this month, being amount of public revenue collected and paid by them for the year 1838, | 11,456 | 92 |
| | " Cash received of Sheriffs, being out of public revenue collected and accounted for on additional returns for 1837, and former years, | 63 | 80 |
| Sept'er | " Cash received of J. W. Guion, cashier of the Merchant's Bank of Newbern, as a tax of 1-4 per cent. on individual stock, | 562 | 50 |
| | " Cash received of Sheriffs, being amount of public revenue collected and paid this month for the year 1838, | 66,556 | 94 |
| | " Cash received of Sheriffs, being amount of public revenue collected and paid by them for the year 1837, and former years, as additional returns, | 217 | 79 |
| Oct'r. | " Cash received of Charles Dewy, cashier of the Bank of the State, as a tax of 1-4 per cent. on individual stock in said Bank, | 2,250 | 00 |
| | " Cash received of H. B. Hays, Clerk of Wake Superior Court, being amount of judgment obtained against Philip Hodnel, entry taker of Caswell, for failing to make his annual return to the Secretary of State as required by law, | 200 | 00 |
| 1839 | | \$81,347 | 75 |
| Nov. 1 | Balancedue public Treasurer 1st Nov. 1839, | 3,380 | 56 |
| | | <u>\$84,728</u> | <u>51</u> |

State of North Carolina, as Public Treasurer.

Cr.

| | | |
|---------|---|--------------------|
| 1839 | | |
| Ap'l 16 | By balance due D. W. Courts, late Public Treasurer, on the 16th day of April, 1839, and passed to the credit of Charles L. Hinton, his successor in office, | 27,121 00 |
| | Amount of disbursements from 16th April to 1st November, 1839, | 57,607 51 |
| 1839 | | <u>\$84,728 51</u> |
| Nov. 1 | By balance due Public Treasurer 1st Nov. 1839, | <u>3,380 56</u> |

Comptroller's Office,
 Raleigh, November 1st, 1839.
 WM. F. COLLINS, Comptroller.

1839 DISBURSEMENTS DURING EACH MONTH.

| | | | | |
|--|----|---------------------------------|-------|--------------------|
| April | By | disbursements during this month | April | |
| | | 16th to 1st May, | | \$6,086 10 |
| May | " | " | " | 7,472 82 |
| June | " | " | " | 8,922 78 |
| July | " | " | " | 9,740 67 |
| Aug. | " | " | " | 8,932 61 |
| Sept. | " | " | " | 7,660 73 |
| Oct. | " | " | " | 8,791 85 |
| | | | | <hr/> |
| | | | | \$57,607 51 |
| Add balance due Public Treasurer 16 Apl. 1839, | | | | 27,121 00 |
| | | | | <hr/> |
| | | | | <u>\$84,728 51</u> |

| | |
|--|--------------------|
| Amount due President and Directors of the Literary Fund of North Carolina, on the 1st of November, 1839, | \$42,956 54 |
| Deduct this amount due Treasurer of Inter- nal Improvement Fund, on the 1st day of November, 1839, | 9,770 63 |
| Deduct amount due Public Treasurer on 1st day of November, 1839, | 3,380 56 |
| | <hr/> |
| | \$13,151 19 |
| This amount in hands of the Public Treasur- er, 1st day of Nov. 1839, | <hr/> |
| | <u>\$29,805 35</u> |

Raleigh, November 1st, 1839.

WILLIAM F. COLLINS, Comptroller.

The following exhibit the disbursements at the Treasury from 16th April to 31st October, inclusive.

DISBURSEMENTS:

JUDICIARY.

| | | |
|--------|---|----------|
| 1839 | | |
| April. | P'd J. R. J. Daniel, Attorney General, 1 certificate, | 20 00 |
| May. | Paid Hon. Frederick Nash, Judge of the Superior Courts of Law and Equity, his half year's salary, 9 certificates, | \$975 00 |
| | " Hon. John L. Bailey, his half y'rs salary; 10 certificates, | 975 00 |
| | " Hon. Richmond M. Pearson, his half year's salary, 11 certificates, | 975 00 |
| | " Hon. John M. Dick, his half y'rs. salary, 10 certificates, | 975 00 |
| May. | " John R. J. Daniel, Attorney General, 2 certificates, | 40 00 |
| | " James R. Dodge, Solicitor, 6 certificates, | 120 00 |
| | " David Outlaw, Solicitor, 6 cert. | 120 00 |
| | " Alex. Troy, Solicitor, 15 cert. | 300 00 |
| | " Hon. R. M. Saunders, his half yr's salary, 10 certificates, | 975 00 |
| June. | " Hon. Thomas Settle, his half y'rs. salary, 10 certificates, | 975 00 |
| | " Hon. John D. Toomer, his half year's salary, 6 certificates, | 975 00 |
| | " John F. Poindexter, Solicitor, 11 certificates, | 220 00 |
| | " James W. Guinn, Solicitor, 5 certificates, | 100 00 |
| | " John R. J. Daniel, Attorney General, for attending June Term of Supreme Court, | 100 00 |
| July. | " Hon. Thomas Ruffin, Chief Justice, his 2nd quarter salary as one of the Judges of Sup'm. Court, | 625 00 |
| | " Hon. William Gaston, Judge of the Supreme Court, his 2nd quarter salary, | 625 00 |
| | " Hon. Joseph J. Daniel, one of the Supreme Court Judges, his 2nd quarter salary, | 625 00 |
| | " Thomas P. Devereux, Reporter to the Supreme Court, his half y'rs. salary, | 150 00 |

| | | |
|--------|--|-------------------|
| 1839 | | |
| | " Turner & Hughes, for printing, publishing and distributing Devcreux and Battle's Reports, | 371 20 |
| | " Wm. H. Washington, Solicitor, 10 certificates, | 200 00 |
| Aug. | John L. Henderson, Clerk to the Supreme Court, his half year's salary; also for books and recording 1089 pages a 30 p. | 500 70 |
| | " James R. Dodge, solicitor, 1 cert. | 20 00 |
| | " James Guinn, Solicitor, 4 cert. | 80 00 |
| Sept. | " Paschal B. Burt, Sheriff of Wake county, compensation for attending Supreme Court, | 158 00 |
| | " William H. Battle, Solicitor <i>pro tem.</i> 1 certificate, | 20 00 |
| | " John R. J. Daniel, Attorney General, 4 certificates, | 80 00 |
| | " James R. Dodge, Solicitor, 3 cert. | 60 00 |
| | " Alex. Troy, Solicitor, 4 cert. | 80 00 |
| | " David Outlaw, Solicitor, 3 cert. | 60 00 |
| Oct'r. | " Hon. Thos. Ruffin, Chief Justice, his 3rd quarter salary, | 625 00 |
| | " Hon. Wm. Gaston, Judge of the Supreme Court, his 3rd quarter salary. | 625 00 |
| | " Hon. Joseph J. Daniel, Supreme Court Judge, his 3rd qr. salary, | 625 00 |
| | " Hon. John M. Dick, Judge of Superior Courts of Law & Equity, his half year's salary, 9 cert. | 975 00 |
| | " John R. J. Daniel, Attorney General, 1 certificate, | 20 00 |
| | Alex. Troy, Solicitor, 1 cert. | 20 00 |
| | David Outlaw, Solicitor, 2 cert. | 40 00 |
| | " Jas. R. Dodge, Solicitor, 5 cert. | 100 00 |
| | | <hr/> \$14,529 90 |

EXECUTIVE DEPARTMENT.

| | | |
|--------|--|------------------|
| July. | Paid Gov. Dudley, his 2nd quarter's salary, ending 30th June, | 500 00 |
| | " C. C. Battle, Private Secretary, his 2nd quarter's salary, ending 10th June, | 75 00 |
| Oct'r. | " Gov. Dudley, his 3rd quarter's salary, ending 30th Sept. | 500 00 |
| | " C. C. Battle, Private Secretary, his 3rd qr. sal'y ending 30th Sept. | 75 00 |
| | | <hr/> \$1,150 00 |

1839

TREASURY DEPARTMENT.

| | | | |
|---------|--|--------|------------|
| Ap'l 16 | Paid D. W. Courts, late Public Treasurer, half month's salary up to the time of his resignation, | 62 50 | |
| July | " C. L. Hinton, Public Treasurer, his salary from the 15th April to 30th June inclusive, | 312 50 | |
| | " Stephen Birdsall, Clerk to the Treasurer, his 2nd qr. salary, ending 30th June, 1839, | 125 00 | |
| Oct'er | " C. L. Hinton, Public Treasurer, his 3rd qr. salary ending 30th September, | 375 00 | |
| | " Stephen Birdsall, Clerk, his 3d qr. salary, ending 30th Sept. | 125 00 | |
| | | <hr/> | \$1,000 00 |

DEPARTMENT OF STATE.

| | | | |
|--------|--|--------|----------|
| 1839 | | | |
| July | Paid Wm. Hill, Secretary of State, his 2nd qr. salary, | 200 00 | |
| Oct'er | " Wm. Hill, Secretary of State, 3rd qr. salary, | 200 00 | |
| | | <hr/> | \$400 00 |

COMPTROLLER'S DEPARTMENT.

| | | | |
|--------|---|--------|----------|
| 1839 | | | |
| July | Paid William F. Collins, Comptroller of Public Accounts, his 2d qr. salary, | 250 00 | |
| Oct'er | " William F. Collins, Comptroller of Public Accounts, his 3rd qr. salary, | 250 00 | |
| | | <hr/> | \$500 00 |

ADJUTANT GENERAL'S OFFICE.

| | | | |
|------|--|--|----------|
| 1839 | | | |
| July | Paid Beverly Daniel, Adjutant General, his half year's salary, ending 30th June, 1839, | | \$100 00 |

POST OFFICE.

| | | | |
|------|---|--------|--|
| 1839 | | | |
| May | Paid Thomas G. Scott, his postage account against the Executive, Adjutant General, and Comptroller Offices, | 184 57 | |

| | | | |
|---------|---|------|----------|
| 1839 | | | |
| Sept'er | Paid Thomas G. Scott, his postage account against the Treasury and Comptroller's Departments, qr. ending June 30th, | 9 22 | \$193 79 |

| | | | |
|--------|--|-------------|---------|
| 1839 | | PENSIONERS. | |
| August | Paid Ann Patterson, widow of John Patterson, deceased, having been allowed by the County Court of Iredell, | | \$32 50 |

| | | | |
|-------|--|------------------|------------|
| 1839 | | PUBLIC PRINTING. | |
| April | Paid Thomas Loring, Editor of the Standard, printing for the use of the Treasury office, | 16 50 | |
| | " Thomas J. Lemay, for printing Journals of the two Houses of Assembly and documents upon the subject of Common Schools, | 1,056 05 | |
| May | " Weston R. Gales, printing for the Literary Board, Treasury and Comptroller's Offices, | 212 00 | |
| | " Weston R. Gales, sundry charges under contract with Secretary Hill, for printing, | 1,117 00 | |
| July | " Gray Oates, for publishing the sale of Cherokee lands in 1838, also for the Southern Review, | 20 62 | |
| Sept. | " Thomas J. Lemay, printing done for the use of the State, | 85 55 | \$2,507 72 |

| | | | |
|---------|--|---------------------------|-------------|
| 1839 | | REBUILDING STATE CAPITOL. | |
| April | Paid Stephen Birdsall, Clerk to the Board of Commissioners for rebuilding Capitol, | 4,835 75 | |
| June | " Stephen Birdsall, Clerk to Com's | 5,380 86 | |
| July | " " " " | 5,548 85 | |
| August | " " " " | 7,755 66 | |
| Sept'er | " " " " | 5,435 26 | |
| Octo'er | " " " " | 4,059 00 | \$33,015 38 |

| | | | |
|-------|--|-------------------|---------|
| 1839 | | COUNCIL OF STATE. | |
| April | Paid C. C. Battle, Private Secretary to Governor Dudley, to defray expenses of the Council of State, convened to advise the appointment of a Public Treasurer, | | \$64 80 |

1839

CONTINGENCIES.

| | | |
|--------|--|----------|
| | Paid Weldon Hall, to pay for advertising the sale of Cherokee lands, in 1828, | 30 50 |
| April. | " John Malone, for firewood furnished the State Offices under contract, | 231 75 |
| May. | " Wheeler & Cooper for seal, press, and other incidental expenses for the use of the Supreme Court, | 87 50 |
| | " Oliver H. Perry, for distributing the Laws and Journals, also School Pamphlets, | 75 00 |
| | " John Nutt, for distributing the Acts and Journals in 18 counties, | 60 00 |
| | " Willis Dowd, for carrying writ of election to the county of Moore, as by Resolution, | 12 50 |
| | " Wm. Hill, to cover expenses for 40 Coffee bags used in distributing Laws and Journals under Act of Assembly, | 6 00 |
| | " William Hill, Secretary of State, to pay for Coffee bags used in distributing the Laws and Journals, &c. of last General Assembly, | 31 50 |
| June. | " William H. Haywood, Jr., for negotiating a loan for the State in 1836, of four hundred thousand dollars, | 1,000 00 |
| | " James Page, for distributing the Laws, Journals and School Pamphlets, | 150 00 |
| | " John H. Decarteret, for binding done for the use of the State, as per bill, | 16 50 |
| | " Pasteur and Moore, for advertising proposals to printers, | 3 12 |
| | " William C. Tucker, for Coffee bags used in distributing the Laws and Journals, | 2 25 |
| July. | " William Hill, Secretary of State, his 2d quarter salary as State Librarian, | 12 50 |
| Aug. | " Andrew Mathien, for storage of Public Arms at Salisbury, | 50 00 |
| | " C. C. Battle, Private Secretary to | |

1839

Governor Dudley, for having the mortgage of the Raleigh and Gaston Rail Road registered in the counties of Wake, Warren, Franklin, Granville, Halifax and Northampton, 75 00

Paid Lunsford Lane, for waiting and attending on the Ex've Office, 24 00

" Edward B. Dudley, to defray expenses for a seal for Cabarrus co. 15 00

Sept. " Samuel Biggs, amount remitted to the Treasury Office by the Clerk of Orange county, and due said Biggs, as per Resolution, 49 67

" Robt. B. Davis, Sheriff of Washington, due for taxes and commissions on land sold for taxes and purchased in for the State, 38 80

" James C. Turrentine, Sheriff of Orange, amount of insolvent taxables for the years 1835-6, as per resolution of the General Assembly, 62 50

" John W. Taylor, Sheriff of Greene, to pay for County Seal, 6 75

" Fletcher & Fowler, for advertising Cherokee Land Sales, 11 00

Oct. " E. H. Wingate, for all arrears and salary due the late Gen. H. W. Ayre, of Fayetteville, for superintending Public Arms, &c. 50 00

" Turner & Hughes, stationary bill for the different State Offices, 108 65

" Discount on Georgia Bank Notes, 6 70

" William Hill, Secretary of State, his 3d quarter salary as State Librarian, 12 50

\$2,229 69

SHERIFFS FOR SETTLING TAX FOR 1838.

W. D. Rascoe, Sheriff of Chowan county, for 1838, \$18 00

Leslie Gilliam, Granville, 7 50

L. R. Krimminger, Cabarrus, 16 00

John N. Hardie, Rowan, 16 00

Isaac White, Randolph, 11 50

Wm. Thompson, Wayne, 8 70

| | |
|---------------------------------|-------|
| Willie Jones, Buncombe, | 30 00 |
| Nelson G. Howell, Haywood, | 33 00 |
| Eli McKee, Macon, | 38 90 |
| Samuel Terry, Richmond, | 13 00 |
| Robert Thomas, Henderson, | 37 00 |
| Abner Caermichael, Wilkes, | 21 00 |
| John W. Taylor, Greene, | 9 50 |
| Thomas H. Philips, Martin, | 13 00 |
| Thomas S. Lea, Caswell, | 9 50 |
| Etheldred Peebles, Northampton, | 13 00 |
| John M. Smith, Davidson, | 15 30 |
| J. A. Pool, Pasquotank, | 23 00 |
| George Phillips, Ashe, | 23 00 |
| James W. Carson, Rutherford, | 26 20 |
| James Simmons, Halifax, | 11 00 |
| Thomas Wilson, Yancey, | 30 00 |
| J. H. Pearson, Burke, | 23 00 |
| B. M. Selby, Pitt, | 12 00 |
| John B. Dawson, Craven, | 15 00 |
| J. Williamson, Columbus, | 15 00 |
| Nathan Bagley, Perquimons, | 21 90 |
| J. C. Turrentine, Orange, | 6 60 |
| R. McDaniel, Jones, | 13 50 |
| James Queen, Lincoln, | 21 00 |
| T. N. Alexander, Mecklenburg, | 19 00 |
| Curtis Thompson, Sampson, | 10 50 |
| Jas. R. Riddick, Gates, | 18 90 |
| Allen Grist, Beaufort, | 15 00 |
| Wm. D. Petway, Edgecomb, | 9 00 |
| S. Stone, Stokes, | 13 20 |
| Jas. W. Doke, Guilford, | 12 00 |
| Martin Roberts, Rockingham, | 13 00 |
| John Freeman, Bertie, | 14 00 |
| Hardy Walters, Person, | 9 00 |
| John McCleese, Tyrrell, | 23 00 |
| R. B. Davis, Washington, | 18 00 |
| Israel Brooks, Hyde, | 25 20 |
| E. McIntosh, Moore, | 9 00 |
| G. W. Melvin, Bladen, | 12 80 |
| D. W. Sanders, Onslow, | 18 00 |
| A. Johnson, Cumberland, | 8 90 |
| George Dille, Carteret, | 19 50 |
| Neill McAlpin, Robeson, | 12 00 |
| Y. H. Allen, Anson, | 15 00 |
| Eben Hearne, Montgomery, | 14 50 |
| Thos. Foster, Davie, | 17 30 |
| Owen Fennel, New Hanover, | 18 00 |
| John Davis, Lenoir, | 11 00 |

| | |
|----------------------------|-------|
| A. S. Ballenger, Johnston, | 5 50 |
| Wm. W. Bryant, Nash, | 6 50 |
| P. B. Burt, Wake, | 3 00 |
| Isaac Baxter, Currituck, | 30 37 |
| John L. Ferrill, Camden, | 24 00 |
| G. Perry, Franklin, | 6 30 |
| John Harman, Chatham, | 8 61 |
| J. A. Bogle, Iredell, | 20 00 |
| E. K. Jiggetts, Hertford, | 15 00 |
| H. G. Hampton, Surry, | 17 00 |
| Joseph S. Jones, Warren, | 8 50 |
| R. W. Woodside, Brunswick, | 20 10 |
| J. E. Hussey, Duplin, | 13 50 |

 \$1,086 28

CONGRESSIONAL ELECTIONS.

| | |
|---|--------|
| W. D. Rascoe, Sheriff of Chowan county, for comparing polls, 1838, | \$4 50 |
| Leslie Gilliam, Granville, | 7 50 |
| L. B. Krimminger, Cabarrus, | 5 83 |
| John H. Hardie, Rowan, | 10 00 |
| Isaac White, Randolph, | 5 33 |
| William Thompson, Wayne, | 8 50 |
| Willie Jones, Buncombe, | 2 50 |
| Nelson G. Howell, Haywood, | 7 50 |
| Eli McKee, Macon, | 16 50 |
| Samuel Terry, Richmond, | 3 16 |
| Robert Thomas, Henderson, | 9 16 |
| Francis McGehee, Cherokee, | 18 16 |
| Abner Carmichael, Wilkes, | 2 50 |
| John W. Taylor, Greene, | 6 66 |
| Thos. N. Philips, Martin, | 10 83 |
| Thomas L. Lea, Caswell. | 8 33 |
| Etheldred Peebles, Northampton, | 3 16 |
| John M. Smith, Davidson, | 10 00 |
| Joshua A. Pool, Pasquotank, | 6 33 |
| George Philips, Ashe, | 7 50 |
| James W. Carson, Rutherford, | 10 88 |
| James Simmons, Halifax, | 4 75 |
| Thomas Wilson, Yancy, | 10 83 |
| John H. Pearson, Burke, | 12 50 |
| B. M. Selby, Pitt, | 6 66 |
| John B. Dawson, Craven, | 9 16 |
| Joshua Williamson, Columbus, | 12 50 |
| Nathan Bagley, Perquimons, | 2 83 |
| James C. Turrentine, Orange, | 2 50 |
| R. McDaniel, Jones, | 6 16 |
| James Queen, Lincoln, | 7 50 |

A STATEMENT OF THE REVENUE OF NORTH CAROLINA.

A Statement of the nett amount of that branch of the Revenue which is receivable by Sheriffs, for the year 1838.

County.

Name.

Land Tax.

Town Property Tax.

Poll Tax.

Stock Horse Tax.

Gate Tax.

Store Tax.

Tavern Tax.

Police Tax.

Artificial Grass Tax.

Natural Grass Tax.

Bridges Tax.

Fences Tax.

Remitted Tax.

Amount due on Stock.

Amount due on Bonds.

Names of Assessors.

Counties and Years.

Amount due.

Amount received.

Albany

1 Young H. Allen

219 57

9 41

335 24

21 15

92

14 61

11

128

37 69

A Statement of the Revenue which is derived from duties imposed on Sales at Auction, and from the Banks of the State, for Tax on Stock, at one-fourth per cent. on each share held by individuals, for the years 1838 and '39.

| Names of Auctioneers | Counties and Years. | Amount due. | Amount received |
|----------------------|---------------------|----------------|--------------------|
| Wm. H. Smith | Albany 1838 | 100 00 | 100 00 |
| Wm. H. Smith | Albany 1839 | 100 00 | 100 00 |
| Wm. H. Smith | Albany 1840 | 100 00 | 100 00 |
| Wm. H. Smith | Albany 1841 | 100 00 | 100 00 |
| Wm. H. Smith | Albany 1842 | 100 00 | 100 00 |
| Wm. H. Smith | Albany 1843 | 100 00 | 100 00 |
| Wm. H. Smith | Albany 1844 | 100 00 | 100 00 |
| Wm. H. Smith | Albany 1845 | 100 00 | 100 00 |
| Wm. H. Smith | Albany 1846 | 100 00 | 100 00 |
| Wm. H. Smith | Albany 1847 | 100 00 | 100 00 |
| Wm. H. Smith | Albany 1848 | 100 00 | 100 00 |
| Wm. H. Smith | Albany 1849 | 100 00 | 100 00 |
| Wm. H. Smith | Albany 1850 | 100 00 | 100 00 |
| Wm. H. Smith | Albany 1851 | 100 00 | 100 00 |
| Wm. H. Smith | Albany 1852 | 100 00 | 100 00 |
| Wm. H. Smith | Albany 1853 | 100 00 | 100 00 |
| Wm. H. Smith | Albany 1854 | 100 00 | 100 00 |
| Wm. H. Smith | Albany 1855 | 100 00 | 100 00 |
| Wm. H. Smith | Albany 1856 | 100 00 | 100 00 |
| Wm. H. Smith | Albany 1857 | 100 00 | 100 00 |
| Wm. H. Smith | Albany 1858 | 100 00 | 100 00 |
| Wm. H. Smith | Albany 1859 | 100 00 | 100 00 |
| Wm. H. Smith | Albany 1860 | 100 00 | 100 00 |
| Wm. H. Smith | Albany 1861 | 100 00 | 100 00 |
| Wm. H. Smith | Albany 1862 | 100 00 | 100 00 |
| Wm. H. Smith | Albany 1863 | 100 00 | 100 00 |
| Wm. H. Smith | Albany 1864 | 100 00 | 100 00 |
| Wm. H. Smith | Albany 1865 | 100 00 | 100 00 |
| Wm. H. Smith | Albany 1866 | 100 00 | 100 00 |
| Wm. H. Smith | Albany 1867 | 100 00 | 100 00 |
| Wm. H. Smith | Albany 1868 | 100 00 | 100 00 |
| Wm. H. Smith | Albany 1869 | 100 00 | 100 00 |
| Wm. H. Smith | Albany 1870 | 100 00 | 100 00 |
| Wm. H. Smith | Albany 1871 | 100 00 | 100 00 |
| Wm. H. Smith | Albany 1872 | 100 00 | 100 00 |
| Wm. H. Smith | Albany 1873 | 100 00 | 100 00 |
| Wm. H. Smith | Albany 1874 | 100 00 | 100 00 |
| Wm. H. Smith | Albany 1875 | 100 00 | 100 00 |
| Wm. H. Smith | Albany 1876 | 100 00 | 100 00 |
| Wm. H. Smith | Albany 1877 | 100 00 | 100 00 |
| Wm. H. Smith | Albany 1878 | 100 00 | 100 00 |
| Wm. H. Smith | Albany 1879 | 100 00 | 100 00 |
| Wm. H. Smith | Albany 1880 | 100 00 | 100 00 |
| Wm. H. Smith | Albany 1881 | 100 00 | 100 00 |
| Wm. H. Smith | Albany 1882 | 100 00 | 100 00 |
| Wm. H. Smith | Albany 1883 | 100 00 | 100 00 |
| Wm. H. Smith | Albany 1884 | 100 00 | 100 00 |
| Wm. H. Smith | Albany 1885 | 100 00 | 100 00 |
| Wm. H. Smith | Albany 1886 | 100 00 | 100 00 |
| Wm. H. Smith | Albany 1887 | 100 00 | 100 00 |
| Wm. H. Smith | Albany 1888 | 100 00 | 100 00 |
| Wm. H. Smith | Albany 1889 | 100 00 | 100 00 |
| Wm. H. Smith | Albany 1890 | 100 00 | 100 00 |
| Wm. H. Smith | Albany 1891 | 100 00 | 100 00 |
| Wm. H. Smith | Albany 1892 | 100 00 | 100 00 |
| Wm. H. Smith | Albany 1893 | 100 00 | 100 00 |
| Wm. H. Smith | Albany 1894 | 100 00 | 100 00 |
| Wm. H. Smith | Albany 1895 | 100 00 | 100 00 |
| Wm. H. Smith | Albany 1896 | 100 00 | 100 00 |
| Wm. H. Smith | Albany 1897 | 100 00 | 100 00 |
| Wm. H. Smith | Albany 1898 | 100 00 | 100 00 |
| Wm. H. Smith | Albany 1899 | 100 00 | 100 00 |
| Wm. H. Smith | Albany 1900 | 100 00 | 100 00 |

| | | Dolls. | Cts. | Dolls. | Cts. |
|-----------------------|---------------|--------|-------|--------|------|
| Joseph Fowler, | Craven County | 1838 | 73 | 19 | 93 |
| do do | " | 1839 | 90 | 01 | 74 |
| Henry Dewey, | " | 1838 | 39 | 51 | 91 |
| do do | " | 1839 | 9 | 96 | 96 |
| Lewis B. Myers, | Heard | 1838 | 6 | 15 | 16 |
| Berny Caldwell, | Heard | 1839 | 22 | 15 | 15 |
| William Peck, | Wake | 1839 | 33 | 79 | 37 |
| Edward W. Wilkins, | Cumberland | 1838 | 115 | 61 | 115 |
| Sam'l W. Tillinghast, | " | 1839 | 30 | 56 | 30 |
| John B. Hall, | " | 1839 | 155 | 09 | 155 |
| Elbert Barr, | New Hanover | 1838 | 73 | 42 | 42 |
| John Whilier, | " | 1839 | 53 | 46 | 46 |
| William Labatuck, | Pasquotank | 1839 | 19 | 42 | 19 |
| Eph. Caudy, | Carteret | 1839 | 77 | 77 | 77 |
| | | | \$728 | 95 | 592 |

Revenue derived from Ba

| Banks. | Individual States. | Am't due. | Am't rec'd. |
|--------------------------|--------------------|-----------|-------------|
| Bank of Cape Fear, | | 1770 29 | 1770 5 |
| " The State, | 9000 | 2250 00 | 2250 0 |
| Do. Merch's B'k Newbern, | 2250 | 562 50 | 552 6 |

RECAPITULATION OF RECEIPTS

14 PUBLIC FUND
25 Received from the following Sources:
18 Cherokee Land sales 1838. \$49,256 01

| | | |
|----|---------------------------------|-----------|
| 62 | Bank Dividends, Bank Cape Fear, | 90 00 |
| 20 | Boncombe Turapike Company, | 750 00 |
| 05 | Public Revenue from Sheriffs, | 78,013 86 |

| | | | | |
|----|---|---|------------------------------|----------|
| 37 | " | " | Additional Returns, | 281 59 |
| 00 | | | Bank Tax, Bank of Cape Fear, | 1,770 29 |
| 80 | " | " | Bank of the State, | 2,250 00 |

| | | |
|----|------------------------------------|-----------|
| 01 | " " Merchants' Bank of Newbern, | 562 50 |
| 02 | Fine, Philip Hodnel, E. Taker, | 200 00 |
| 03 | Add balance on hand 1st Nov. 1838, | 37,466 57 |
| 04 | | 37,629 00 |

| | | |
|----|---|---------|
| 29 | Disbursements from 1st Nov. 1838, to 1st Nov. 1839, | 174,021 |
| 93 | This amount due Pub. Treas. 1st Nov. 1839. | 3,380 |

| INTERNAL IMPROVEMENT FUND OF N. C. | | |
|------------------------------------|--------------------------------|-----------|
| 89 | Cherokee Bonds (sale of 1836.) | 15,174 86 |
| 35 | " " 1838. | 5,356 33 |

| | |
|--|------------|
| Principal on Loans by Internal Imp. Board, | 11,025 00 |
| Bank Dividends, Bank of Cape Fear, | 1,008 00 |
| Transfer by Internal Improvement Board, | 150,000 00 |

| | | |
|----|--|------------|
| 01 | Loans to the Raleigh and Wilmington R. R. d. | 116,000 00 |
| 07 | Cherokee Bonds, transferred to State R'd. | 1,350 48 |
| 02 | J. S. Dillard and others, | 910 00 |
| | Add balance due Jan. Nov. 1838 | 3,759 96 |

| | | |
|----|---|----------|
| 30 | Add balance due 1st Nov. 1839, | 3,152 20 |
| 24 | Disbursements from 1st Nov. 1838, to 1st Nov. 1839, | 304,576 |
| 29 | | 314,347 |

| | | |
|----|---|------|
| 40 | This amount due Treas. Int. Imp. Fund, 1st Ngr. 1839, | 9770 |
| 73 | LITERARY FUND OF N. C. | |
| 53 | Bank Dividends of Profit—Bank of the State, 51,250 00 | |

| | | | | | |
|----|---------------------------------------|---|---|--------------------|-----------|
| 98 | " | " | " | Bank of Cape Fear, | 46,863 00 |
| 17 | Principal on Loans by Literary Board, | | | | 99,480 00 |
| 74 | Interest | " | " | " | 9,808 77 |
| | " | " | " | " | 9,325 65 |

| | | |
|----|---------------------------------|----------|
| 14 | Entries of Vacant Land, | 9,737 93 |
| 82 | Cape Fear Navigation Dividends, | 1,300 00 |
| 56 | Roanoke " " | 1,500 00 |

| | | |
|----|--------------------------------|-----------|
| 18 | Tax on Retailers of Spirits, | 3,087 19 |
| 63 | “ Sales at Auction, | 592 11 |
| 63 | Add balance due 1st Nov. 1838, | 27,285 11 |

| | | |
|----|--|---------|
| 04 | Deduct disbursements from 1st Nov. 1838, to 1st Nov. 1839, | 240,239 |
| 37 | | 217,283 |
| 45 | | 40,956 |

| | | |
|----|---|--------|
| 27 | Deduct this amount due Public Treas. and Treas. Int. Imp. | 12,000 |
| 09 | Fund, 1st Nov. 1889, | 13,151 |

Leaves this bal. in hands of the Pub. Treas. 1st Nov. 1839, \$29,865

Comptroller's Office, November 1st, 1839.
WM. F. COLLINS, *Comptroller.*

COMPTROLLER'S OFFICE, }
November 1, 1839. }

39

64
19

453

REPORT

FROM THE

COMPTROLLER'S DEPARTMENT

OF

NORTH CAROLINA,

TO THE

LEGISLATURE OF THE STATE,

SHOWING

THE RECEIPTS AND DISBURSEMENTS

AT THE

TREASURY DEPARTMENT,

FOR THE

Fiscal Year, Ending November 1, 1840.

RALEIGH:

PRINTED BY T. J. LEMAY, OFFICE OF THE RALEIGH STAR.

1840.

COMPTROLLER'S OFFICE, }
NOVEMBER 1, 1840. }

*To the Honorable, the General Assembly
of the State of North Carolina.*

GENTLEMEN: An act of the General Assembly, passed at the session of 1836-37, "concerning the Comptroller," requires of that Officer that he shall "immediately after the first day of November, in every year, prepare the account of the Public Treasurer with the State, as the same shall appear on the Books of his Office, for the year preceding the first day of November, stating the balance of the money in the Treasury at the last settlement; the receipts into the Treasury within the year, particularizing the monies and account from which the same accrued and were received; the amount received from each respectively; and a particular statement of the disbursements from the Treasury within the same period, and the money remaining in the Treasury; and he shall annex a Statement of the Revenue from each subject of taxation in every county of the State." In obedience to this requisition, I herewith have the honor to submit the accompanying Report, exhibiting the transactions at the Treasury Department for the fiscal year ending November 1, 1840.

I have the honor to be,

With very great respect,

Your obedient servant,

WM. F. COLLINS.

| Date | Description | Amount |
|--------|--------------------------------|--------|
| May 1 | To balance forward | 100.00 |
| May 2 | Cash received from J. W. Smith | 50.00 |
| May 3 | Cash received from J. W. Smith | 50.00 |
| May 4 | Cash received from J. W. Smith | 50.00 |
| May 5 | Cash received from J. W. Smith | 50.00 |
| May 6 | Cash received from J. W. Smith | 50.00 |
| May 7 | Cash received from J. W. Smith | 50.00 |
| May 8 | Cash received from J. W. Smith | 50.00 |
| May 9 | Cash received from J. W. Smith | 50.00 |
| May 10 | Cash received from J. W. Smith | 50.00 |
| May 11 | Cash received from J. W. Smith | 50.00 |
| May 12 | Cash received from J. W. Smith | 50.00 |
| May 13 | Cash received from J. W. Smith | 50.00 |
| May 14 | Cash received from J. W. Smith | 50.00 |
| May 15 | Cash received from J. W. Smith | 50.00 |
| May 16 | Cash received from J. W. Smith | 50.00 |
| May 17 | Cash received from J. W. Smith | 50.00 |
| May 18 | Cash received from J. W. Smith | 50.00 |
| May 19 | Cash received from J. W. Smith | 50.00 |
| May 20 | Cash received from J. W. Smith | 50.00 |

DR.

Charles L. Hinton, Treasurer of the Literary Fund

| | | | |
|---------|--|----------|----|
| 1839 | | | |
| Nov. 1 | To balance due President and Directors of the Literary Fund, on the 1st of Nov. 1839, | \$42,956 | 54 |
| | " Cash received for entries of vacant land, | 278 | 26 |
| | " " Received from John Whitier, Auctioneer of New Hanover, in full of his Auction account as Auctioneer aforesaid, for 1839 and 1840. | 53 | 46 |
| | " " Received of Talcott Burr, Auctioneer, of New Hanover, in full of his Auction account, for 1839 and 1840, | 73 | 42 |
| Dec'r. | " " Received for entries of vacant lands, | 230 | 27 |
| | " " Received principal on loans, by the Board of Literature, of C. C. Battle, Secretary, | 5,667 | 00 |
| | " " Received of C. C. Battle, Sect'y to the Literary Board, being amount of Interest on loans by said Board, | 3,788 | 44 |
| 1840 | | | |
| Ja'nry. | " " Received for entries of vacant land, | 297 | 89 |
| | " " Received of the President and Directors of the Bank of Cape Fear, as dividend No. 61, of 4 per cent. declared on shares held by the President and Directors of Literary Fund, | 20,828 | 00 |
| | " " Received of the President and Directors of the Bank of the State of North Carolina; being in full of dividend No. 9, of 3 per cent. declared on shares held in said Bank by the President and Directors of Literary Fund, for the half year ending December, 1839. | 15,000 | 00 |
| | " " Received of the President and Directors of the Literary Fund of North Carolina, being interest on Bonds of the Raleigh and Gaston Rail Road Company, | 3,680 | 16 |
| | " " Received of Edward B. Dudley, President ex officio of the Board of Internal Improvements, being Interest collected on the Bonds of the Wilmington and Raleigh Rail Road Company, | 2,954 | 40 |
| Feb'ry. | " " Received for entries of vacant land, | 99 | 27 |
| | " " Received of C. C. Battle, Secretary to the Literary Board, being principal on loans made by said Board, | 1,235 | 74 |
| March. | " " Received for entries of vacant land, | 79 | 15 |
| | " " Received of Henry Dewey, Auctioneer of Craven County, being in full of his | | |

| | | | |
|--------|---|-----------|--|
| 1839 | | | |
| Nov. | By cash paid C. C. Battle, Secretary to Literary Board, to defray expenses of the Literary Board up to the 16th Nov. 1839, | 300 00 | |
| Dec. | " " Edward H. Wingate, Cashier of the branch Bank of Cape Fear, Raleigh, second and third instalments of one hundred and fifteen shares of stock in the Bank of Cape Fear, being the number subscribed for by the President and Directors of the Literary Fund, on the 24th June, | 4,600 00 | |
| | " " Paid C. C. Battle, Secretary to the Literary Board, being amount loaned by said Board on individual bonds, | 400 00 | |
| 1840 | | | |
| Jan. | " " Paid George W. Mordecia, President of the Raleigh and Gaston Rail Road Company, being amount of bonds purchased of said company and endorsed by the State, | 5,000 00 | |
| | " " Paid Raleigh & Wilmington Rail Road Company, being amount invested in the Bonds of said company at par value, and endorsed by the stockholders of said company, | 25,000 00 | |
| | " " C. C. Battle, Secretary to the Literary Board, to remit to R. S. Myers, to defray expenses in draining swamp lands, | 800 00 | |
| | " " C. C. Battle, Secretary, to remit to S. & E. Averett, to defray expenses in draining swamp lands, | 1,022 50 | |
| | " " A. J. Battle, acting Secretary to Literary Board, to remit to W. P. Munford, Assistant Engineer, to cover expenses in survey and examination of swamp lands, agreeably to act of Assembly, | 600 00 | |
| Feb'y. | " " Walter Guinn, Principal Engineer of swamp lands, being amount of his salary, | 1,200 00 | |
| | " " W. P. Munford, to meet the expenses incurred in surveying swamp lands, | 500 00 | |
| | " " A. J. Battle, acting Secretary to the Literary Board, loaned on the Note of the Rev. T. Meredith, (President of the Trustees of Wake Forest College) and others, | 2,000 00 | |
| March | " " C. C. Battle, Secretary, to remit to Everitt, Dickerson & Hammond, estimate | | |

Dr. *Charles L. Hinton, Treasurer of the Literary Fund*

| | | | |
|--------|---------|--|-----------|
| 1840 | | Auction tax account, as Auctioneer of Craven for 1839 and 1840, | 9 96 |
| April. | To cash | received for entries of vacant land, | 79 30 |
| May | " " | Received for entries of vacant land, | 122 08 |
| | " " | Received of Edward B. Dudley, President ex officio of the Literary Board, as principal on monies loaned by said Board, | 3,222 37 |
| | " " | Received of Edward ¹ B. Dudley, President ex officio of the Literary Board, being interest on monies loaned by said Board, | 1,120 54 |
| June. | " " | Received for entries of vacant land, | 105 90 |
| | " " | Received of Edward B. Dudley, President ex officio of the Literary Board, as principal on monies loaned by said Board, | 10,785 91 |
| | " " | Received of Edward B. Dudley, President ex officio of the Literary Board, being Interest on monies loaned by said Board, | 1,314 85 |
| July | " " | Received for entries of vacant land, | 91 92 |
| | " " | Received of Edward H. Wingate, Cashier of the Bank of Cape Fear, in full of dividend No. 62, of 2 1-2 per cent. declared on shares of stock held in said Bank by the President and Directors of Literary Fund, | 13,017 50 |
| | " " | Received of the President and Directors of the Bank of the State, being in full of dividend No. 10, of 3 1-4 per cent. on shares of stock held in said Bank by the President and Directors of Literary Fund, | 16,250 00 |
| | " " | Received of Governor Dudley, President ex officio of the Literary Board, being principal on monies loaned by said Board, | 700 00 |
| | " " | Received of Edward B. Dudley, President ex officio of the Literary Board, being amount of Interest on monies loaned by said Board, | 5,062 50 |
| | " " | Received of Edward B. Dudley, President ex officio of the Literary Board, being Interest received on the Bonds of the Raleigh and Wilmington Rail Road Company, | 2,484 23 |
| Aug't. | " " | Received for entries of vacant land, | 41 82 |

| | | | |
|--------|---------|--|----------|
| 1840 | | | |
| March. | By cash | of their work done on Pungo Canal for the months of January and February, estimate of work from 29th February to 23rd March, 1840, | 2,227 50 |
| April. | " " | Paid C. C. Battle, Secretary, to remit to Messrs. Harris & Whitehead, being estimate of their work done on Alligator Canal during the months of January, February and March, | 1,800 00 |
| | " " | Paid C. C. Battle, Secretary, to defray the expenses of the Literary Board, ending the 18th February, 1840, | 2,568 00 |
| May. | " " | Paid the order of Gov. Dudley, from the funds appropriated for draining the swamp lands, to remit to Messrs. Everitt, Dickerson and Hammond, contractors on Pungo Canal, three fourths estimate of their work from 25th March to 25th April, | 300 00 |
| | " " | Paid W. P. Munford, assistant engineer, to defray contingent expenses of Alligator Canal, | 2,475 00 |
| | " " | Paid R. S. Myers, by order of Governor Dudley, to defray expenses of constructing bridge and contingencies on Pungo Canal, | 360 00 |
| June. | " " | Paid C. C. Battle, Secretary, being amount of expenses of the Literary Board, to pay the members of said Board, | 400 00 |
| | " " | Paid C. C. Battle, Secretary, to remit to Messrs. Harris & Whitehead, estimate of work done on Alligator Canal, | 204 00 |
| | " " | Paid Gov. Dudley, to meet the claim of Everitt, Dickerson & Hammond, estimate of their work on Pungo Canal, reserving 25 per cent. by order of the Literary Board, | 1,670 85 |
| | " " | Paid C. C. Battle, Secretary, to remit to Maj. Guinn, principal engineer, on account of his salary as principal engineer of swamp lands, | 1,237 50 |
| July. | " " | Paid Edward H. Wingate, Cashier of the branch Bank of Cape Fear at Raleigh, being the 4th and last instalment, the same having been subscribed for by the President and Directors of Literary Fund, subscribed for one hundred and | 1,000 00 |

Dr.

Charles L. Hinton, Treasurer of the Literary Fund

| | | | |
|---------|--|-------|----------|
| 1840 | | | |
| Aug't. | To cash received of Andrew Joiner, Treasurer of the Roanoke Navigation Company, being the 7th dividend of 500 shares of stock held by the State of N. Carolina, and appropriated to the Literary Fund. | | 1,125 00 |
| " " | Received of Edward B. Dudley, President ex officio of the Literary Board, as principal on loans made by the said Board, | | 2,387 74 |
| " " | Received of Edward B. Dudley, President ex officio of the Literary Board, being Interest on loans made by the Literary Board, | | 1,444 45 |
| " " | Received of Edward B. Dudley, President ex officio of Literary Board, being Interest received on loans made by the Board of Internal Improvements, | | 962 11 |
| " " | Received for tavern tax of Sheriffs this month, | | 199 28 |
| Sept'r. | Received for entries of vacant land | | 277 94 |
| " " | Received of Gold Hoyt, Auctioneer of Pitt County, being in full of his Auction tax account for 1839 and 1840, | | 6 34 |
| " " | Received of Sheriffs as tax on retailers of spirits, | | 2,536 58 |
| Oct'r. | Received for entries of vacant land, | | 151 67 |
| " " | Received of Perry Carter Auctioneer, | 6 99 | |
| " " | Received of Talcott Burr, Auctioneer, | 58 86 | |
| " " | Received of Solomon Baccus, Auctioneer, | 7 97 | |
| " " | Received of Elijah Canaday, Auctioneer, | 24 29 | |
| " " | Received of Amos Kimball, Auctioneer, | 91 95 | |
| " " | Received of William Peck, Auctioneer, | 30 | |
| " " | Received of Freeman and Stiths, Auctioneers, | 14 51 | |
| " " | Received of Joseph L. Fowler, Auctioneer, | 72 15 | |
| " " | Received of Edm'd W. Wilkings, Auctioneer, | 71 44 | |
| " " | Received of Malachi Russell, Auctioneer, | 27 43 | |
| | | | <hr/> |
| | | | \$375 89 |

| | | | |
|-------|---------|---|----------|
| 1840 | | | |
| July. | | fifteen shares of stock on 24th June, but the same has been scaled as reported by the Cashier of said Bank, | 4,600 00 |
| | By cash | paid C. C. Battle, Secretary, to remit to Everitt, Dickerson & Hammond, estimate of their work under contract on Pungo Canal, | 2,700 00 |
| | " " | Paid C. C. Battle, Secretary, to be remitted to Everitt, Dickerson & Hammond, estimate of work done on Pungo Canal from 1st to 27th June, | 2,362 50 |
| | " " | Paid C. C. Battle, Secretary, to be paid for a levelling instrument purchased for the use of the swamp lands, | 90 00 |
| | " " | Paid E. H. Wingate, Cashier, being amount of interest on deferred payment of stock subscribed for by the President and Directors of the Literary Fund, | 34 50 |
| Aug. | " " | Paid Gov. Dudley, President ex officio the Lit'ry Board, to remit to R. S. Myers, assistant engineer on Pungo Lake Canal, to meet contingent expenses of said Canal, agreeably to requisition made by order of the Board of Literature, | 350 00 |
| | " " | E. B. Dudley, President ex officio of the Literary board, to remit to W. P. Munford, assistant engineer on Alligator Canal, as by his requisition, and ordered to be paid the Literary Board, | 300 00 |
| | " " | Paid E. H. Wingate, being amount paid by him to Everitt, Dickerson & Hammond, contractors on Pungo Lake Canal, agreeably to the requisition and order of the Literary Board, | 3,037 50 |
| | " " | Paid C. C. Battle, Secretary, to remit to Messrs. Harris & Whitehead, estimate of work done by them on Alligator Canal, agreeably to the estimate of W. P. Munford, assistant engineer, | 3,003 75 |
| | " " | Paid D. W. Stone, Esq. compensation of the several members of the Literary Board and their Secretary, from the funds of said Literary board as set apart, | 334 00 |
| Sept. | " " | Paid John McCleese, agent for H. G. Spruill, Chairman of the superintend- | |

DR.

Charles L. Hinton, Treasurer of the Literary Fund

| | | | |
|--------|---|--------------|--|
| 1840 | | | |
| Oct'r | To cash received of Gevornor Dudley, President ex officio of the Internal Improvement Board, it being Interest on bonds collected by said Board, | 1,252 19 | |
| " " | Received of Governor Dudley, President ex officio of the Board of Literature, it being Interest collected on bonds of the Raleigh and Gaston Rail Road Company, held by said Company, due the 1st day July, 1840, | 4,200 00 | |
| " " | Received of Governor Dudley, President ex officio of the Literary Board, being principal on bonds collected by said Board, | 2,187 09 | |
| " " | Received of Governor Dudley, President ex officio of the Literary Board, being Interest collected on monies loaned by said Board, | 1,800 25 | |
| | | <hr/> | |
| | | \$170,537 41 | |
| | Deduct disbursements from 1st Nov. 1839, to 31st Oct. 1840, | 92,530 35 | |
| | | <hr/> | |
| Nov. 1 | To balance due President and Directors of Literary Fund, | \$78,007 06 | |

in account with the President and Directors of Literary Fund,

Cr.

| | | | | | |
|-------|---------|---|-------|-----------------|-----------|
| 1840 | | | | | |
| Sept. | | ants of common schools in Tyrrell county, established agreeably to Act of Assembly, passed at the session of 1838 & '9, | | 520 | 00 |
| | By cash | paid C. C. Battle, Secretary, to be remitted to Messrs. Harris & Whitehead, estimate of work done by them on the Alligator Canal, as returned estimate by R. S. Myers, engineer, | | 4,499 | 25 |
| | " " | Paid to C. C. Battle, Secretary to the Literary Board, to be remitted to Messrs. Everitt, Dickerson & Hammond, estimate of work done by them on Pungo Canal as by return estimate of R. S. Myers, engineer, | | 3,037 | 50 |
| Oct. | " " | Paid the chairman of the commissioners of Cherokee county for common schools | \$640 | 00 | |
| | " " | Richmond do do do | 880 | 00 | |
| | " " | Macon do do do | 360 | 00 | |
| | | | | 1,880 | 00 |
| | " " | Amount loaned by Literary Board, | | 2,000 | 00 |
| | " " | Everitt & Co. work done on Pungo Lake (swamp lands,) being 25 per cent. reserved, \$8,000 00 | | | |
| | " " | W. Hill, for copying grants for use of swamp lands, | 6 | 00 | |
| | | | | 8,006 | 00 |
| | | | | <u>\$92,530</u> | <u>35</u> |

*North Carolina, Comptroller's Office, }
November 1st, 1840. }*

WILLIAM F. COLLINS, Comptroller.

Dr.

Charles L. Hinton, Treasurer of the Literary Fund

RECAPITULATION OF RECEIPTS.

| | |
|--|---------------------------|
| Balance due President and Directors of the Literary Fund, on 1st Nov. 1839, | \$42,956 54 |
| Entries of vacant land | 1,855 47 |
| Auctioneers' tax on sales at Auction | 519 07 |
| Bank Dividends, bank of Cape Fear | 33,845 50 |
| Do. do. do. State, | 31,250 00 |
| Principal on loans by Literary Board, | 26,185 85 |
| Interest on loans by Literary Board | 15,493 14 |
| Roanoke Navigation Company dividends, | 1,125 00 |
| Interest on loans by the Internal Improve- ment Board, | 1,252 19 |
| Interest on bonds of the Raleigh and Gas- ton Rail Road Company, | 7,880 16 |
| Do. do do Wilmington Rail Road Company, | 5,438 63 |
| Tavern tax, (retailers of spirits,) | 2,735 86 |
| | <hr/> \$170,537 41 |
| Deduct disbursements from 1st Nov. 1839 to 31st October, 1840, | 92,530 35 |
| | <hr/> |
| Balance due Literary Fund 1st day Nov. 1840, | <u><u>\$78,007 06</u></u> |

RECAPITULATION OF DISBURSEMENTS.

| | |
|--|--------------------|
| Paid for Swamp lands | \$45,307 85 |
| " " Loans by Literary Board, | 4,400 00 |
| " " Cape Fear Bank Stock, | 9,200 00 |
| " " Common Schools, | 2,400 00 |
| " " Raleigh and Gaston Rail Road Bonds, | 5,000 00 |
| " " Raleigh and Wilmington Rail Road Bonds, | 25,000 00 |
| " " Interest on Deferred Stock (Bank Cape Fear,) | 34 50 |
| " " Expenses of Literary Board, | 1,188 00 |
| | <u>\$92,530 35</u> |

x Sept. 18 40, Tyrrell Co. 520
 Oct. 18 40, Cherokee 640
 " " Richmond 880
 " " Macon 360

bid. terminated statement

\$ 2000 Feb. 1840 to Rev. T. Mendenhall
 (President of the Trustees of Wake Forest College)
 and other loans in aid of the same.
 bid. terminated statement.

DR. *Charles L. Hinton, Treasurer of Fund for Intl. Impts. in acct.*

| | | | |
|--------|---|----------|--|
| 1839 | | | |
| Nov. | To cash received of James Whitaker, being a payment on Cherokee bonds given 1838, | 50 00 | |
| " | " Received of J. W. Guinn Atto. being amount collected on Cherokee bonds, placed in his hands for collection, (sale 1836,) | 1,719 00 | |
| " | " Received of Drewry Logan, being on account of the purchase of Cherokee lands in 1836 | 7 50 | |
| " | " Received of H. Courtney, ag't of Daniel Blake, for Cherokee lands, (sale in 1838,) | 100 00 | |
| 1840 | | | |
| Jan'y. | " " Received of J. W. Guinn, Atto. by the hands of H. Thomas, being amount collected on Cherokee bonds placed in his hands for collection, (sale 1836,) | 1,653 00 | |
| " | " Received of the President and Directors of the Bank of Cape Fear, being a dividend of 4 per cent. declared on 112 shares of stock held in said Bank, by North Carolina, and appropriated to the fund for Internal Improvements, | 448 00 | |
| April | " " Received of John Luddeeth, amount paid on bonds given for the purchase of Cherokee lands, (sold in 1838,) | 626 58 | |
| " | " Received of Nelson H. Strange, amount paid on his bonds given for the purchase of Cherokee lands, (sold 1838,) | 659 25 | |
| May | " " Received of J. W. Guinn, Attorney, being amount paid on bonds placed in his hands for collection, given for the purchase of Cherokee lands, former sales, | 1,184 00 | |
| June | " " Received of Thomas L. Clingman, Attorney, by the hands of Judge Hall, being amount collected on Cherokee bonds placed in his hands for collection, | 900 00 | |
| July | " " Received of E. H. Wingate, Cashier of the Branch Bank of Cape Fear at Raleigh, being a dividend of 2 1-2 per ct. declared on 112 shares of stock held in the Bank of Cape Fear, dividend appropriated to the Internal Improvement Fund, | 280 00 | |
| Aug't | " " Received of J. W. Guinn, Atto. being a- | | |

| | | | |
|---------|-----|---|----------|
| 1839 | | | |
| Nov. 1. | | By Balance due Treasurer of the Fund for Internal Improvements, on the 1st day Nov. 1839, | 9,770 63 |
| Dec'r. | | By cash paid Moses Addington, Commissioner for repairing new road in Macon county, balance due him for said work, | 7 50 |
| | " " | Paid C. C. Battle, Sect. to the Int. Imp. Board, to defray the expenses of the members of said Board, &c. | 125 00 |
| | " " | Paid Stephen Birdsall, Clerk to the Public Treasurer, being amount allowed by Resolution of the General Assembly as Clerk to the Board of Internal Impts. per extra services rendered, | 250 00 |
| 1840 | | | |
| Feb'y. | " " | Paid C. C. Battle, Sect. to the Board of Int. Impt. being amt. of compensation allowed the members of said Board, | 73 25 |
| April | " " | Paid Stephen Birdsall, his pay for 24 days' services as Clerk to said Board, at 3 dollars per diem, | 72 00 |
| | " " | Paid C. C. Battle, private Sect. to Gov. Dudley, to be remitted to S. Colton, as agent to receive subscriptions to the Fayetteville and Western Rail Road in behalf the Board of Internal Improvements, | 375 00 |
| | " " | Paid C. C. Battle, Sect. to be remitted to Duncan G. McRea, agent for the Board of Internal Improvements, to receive Subscription to the Fayetteville and Western Rail Road Company, | 112 50 |
| May | " " | Paid C. C. Battle, Sect. to remit to Maj. Guinn, Civil Engineer, to defray expenses incurred in the survey of Naggs Head, directed to be made by the Internal Improvement Board, | 500 00 |
| June | " " | Paid C. C. Battle, Sect. to the Int. Impt. Board, to cover the expenses of said Board, | 107 00 |
| | " " | Paid S. Colton, his second quarter salary as agent of the Board of Int Impt. to open Books and receive Subscription for Stock in the Fayetteville and Western Rail Road, | 375 00 |
| | " " | Paid C. C. Battle, Sect. to meet the ex- | |

Dr. *Charles L. Hinton, Treasurer Fund for Int. Impts. in acct.*

| | | | |
|--------|-----|--|--------------------|
| | | mount collected on Cherokee bonds sale of 1836 and former years, | 79 00 |
| | " " | Received of Governor Dudley, Presi- dent ex officio of the Board of Inter- nal Improvements, being amount of Principal on monies loaned by said Board, | 2,195 00 |
| Sept. | " " | Received of Francis McGee, being a- mount of Bond given for the purchase of Cherokee lands, (sold in 1838,) | 139 19 |
| | " " | Received of John Ludduth on Bonds given for the purchase of Cherokee Lands, (sold in 1838,) | 700 14 |
| Oct'r. | " " | Received of Jacob F. Abernathy, being part of the 2nd instalment on bond giv- en for the purchase of Cherokee Lands, (in 1838,) | 300 00 |
| | " " | Received of Gov. Dudley, Pres't. ex officio of the Board of Int. Impts., be- ing principal on monies loaned by said Board, | 462 48 |
| | | | <u>\$11,503 14</u> |

| | | | |
|--------|---|--|------------------------|
| 1840 | | penses of the Survey of Naggs Head upon the order of J. W. Guinn, Engineer. | 782 00 |
| July | By Cash Paid C. C. Battle, Sect. | to defray expenses of copying Report and Map of Maj. Guinn, on reopening inlet at Naggs' Head, to be sent to our Senators in Congress, | 40 00 |
| | " " | Paid C. C. Battle, Sect. to defray expenses of the Board of Int. Impts, | 36 75 |
| Aug't. | " " | Paid Edward B. Dudley, Prest. ex-officio of the Board of Int. Impts. being a balance of Maj. Guinn's compensation for surveying Naggs Head, as directed to be paid by the Board of Int. Impts. | 1014 24 |
| Oct'r. | " " | Paid C. C. Battle, Sect. to the Board of Int. Impt. to defray the expenses of said Board, | 35 00 |
| | | | <u>13,675 87</u> |
| | By bal. due Prest. of Int. Impt. Fund Nov. 1, 1840, | | 2,172 73 |
| | Comptroller's Department, } Nov. 1st, 1840. } | | <u><u>2,172 73</u></u> |
| | WM. F. COLLINS, <i>Compt. P. A.</i> | | |

Dr.

*Charles L. Hinton, Treasurer Fund for Int. Impts. in acct.***RECAPITULATION OF RECEIPTS,***By the Internal Improvement Fund.*

| | |
|---|-------------|
| Cherokee Bonds, (sale 1838,) | \$2,575 16 |
| Principal on loans by Int. Impt. Board, | 2,657 48 |
| Bank dividends Bank Cape Fear, | 728 00 |
| Cherokee Bonds prior to 1838, | 5,542 50 |
| | <hr/> |
| | \$11,503 14 |
| | <hr/> |

RECAPITULATION OF DISBURSEMENTS,

From Internal Improvement Fund.

| | |
|---|-------------------|
| Balance due Treas. of Int. Impt. Fund 1st Nov. 1839, | \$9,770 63 |
| Repairing new road Macon county, | 7 50 |
| Expenses of Board of Int. Impt. | 377 00 |
| Clerk of the Board of Internal Impts., | 322 00 |
| Agents to receive subscriptions to the Fayetteville and Western Rail Road, | 862 50 |
| Expense incurred in survey of Nagshead, | 2,336 24 |
| | <hr/> |
| | 13,675 87 |
| Deduct receipts from 1st Nov. 1839 to 31st Oct. in. | 11,503 14 |
| | <hr/> |
| Balance due Treas. Int. Impt. Fund on the 1st Nov. 1840, | <u>\$2,172 73</u> |

Dr.

Charles L. Hinton, Public Treasurer, in account

| | | | |
|---------|--------|---|-------------|
| 1839 | | | |
| Dec'r. | To | Cash received of John Hill, Cashier of the Bank of Cape Fear, being a tax of 1-4 per cent. on 8492 shares of stock in said bank, | 2,123 00 |
| 1840 | | | |
| Jan'y | " " | Received of the President and Directors of the Bank of Cape Fear, being dividend No. 61 of 4 per cent. on 10 shares of stock held in said bank by the State, | 40 00 |
| July. | " " | Received of E. H. Wingate, Cashier of the Br. Bank of Cape Fear, being in full of dividend No. 62 of 2 1-2 per cent. declared on 10 shares of stock held by the State in said bank, | 25 00 |
| Aug't | " " | Received of George Wilson, Cashier of the Merchants' Bank of Newbern, being a tax of 1-4 per cent. on 2,250 shares of stock in said bank, | 562 50 |
| | " " | Received of Sheriffs, being amount of Public tax paid into the Public Treasury during the month of August, | 6,380 99 |
| Sept'r. | " " | Received of Sheriffs, being amount of Public tax paid into the Public Treasury during the month of September, | 70,186 06 |
| Oct'r. | " " | Received of Charles Dewey, Cashier, being a tax of 1-4 per cent. on 9,000 shares of stock held by individuals in the bank of the State, | 2,250 00 |
| | " " | Received of John Hill, Cashier of the Bank of Cape Fear, amount of tax due the State on individual shares of stock, | 2,189 50 |
| | | | 83,757 05 |
| | Deduct | disbursements from 1st Nov. 1839, to 31st Oct. 1840, inclusive, | 60,915 74 |
| Nov. 1 | To | balance due Public Fund of N. Carolina, 1st day Nov. 1840, | \$22,841 31 |
| | | <i>North Carolina, Comptroller's Office, } November 1st, 1840. }</i> | |
| | | WILLIAM F. COLLINS, <i>Comptroller.</i> | |

with the State of North Carolina,

CR.

| | | | |
|--------|---|-------------|---------------------|
| 1839 | | | |
| Nov. 1 | By balance due C. L. Hinton, Public Treasurer, 1st day of Nov. 1839, | | 3,380 56 |
| | “ Amount of disbursements at the Public Treasury from 1st day of Nov. 1839, to 31st Oct. 1840, both days inclusive, | | 57,535 18 |
| | | | <u>\$60,915 74</u> |
| | | | |
| | Amount due Public Fund, November 1st, 1840, | \$22,841 31 | |
| | Do. Literary Fund, | 78,007 06 | |
| | | | <u>\$100,848 37</u> |
| | Deduct amount due Treasurer of Internal Impt. Fund, | | 2,172 73 |
| | | | <u>\$98,675 64</u> |
| | Leaves a balance in the hands of the Public Treasurer, 1st day Nov. 1840, | | <u>\$98,675 64</u> |

DISBURSEMENTS DURING EACH MONTH.

| | | | | |
|---------|------------------------------------|-----|-----|--------------------|
| 1839 | | | | |
| Nov. | By Disbursement during this month, | | | \$6,172 48 |
| Dec. | Do. | do. | do. | 10,398 03 |
| 1840 | | | | |
| Ja'nry, | Do. | do. | do. | 9,567 18 |
| Feb'ry, | Do. | do. | do. | 4,086 07 |
| March, | Do. | do. | do. | 826 49 |
| April, | Do. | do. | do. | 4,527 50 |
| May, | Do. | do. | do. | 5,044 75 |
| June, | Do. | do. | do. | 2,509 35 |
| July, | Do. | do. | do. | 5,938 74 |
| Aug'st | Do. | do. | do. | 2,102 66 |
| Sept'er | Do. | do. | do. | 2,265 60 |
| Oct'er | Do. | do. | do. | 4,096 33 |
| | | | | <u>\$57,535 18</u> |

DISBURSEMENTS

At the Public Treasury from the 1st day of November, 1839, to the 31st day of October, 1840.

EXECUTIVE DEPARTMENT.

| | | |
|-------|--|-------------------|
| 1839 | | |
| Dec. | C. C. Battle Gov. Dudley's Private Sec. his 4 quarter salary, for 1839, | \$75 00 |
| 1840 | | |
| Jan. | C. C. Battle, Gov. Duley's 4th quarter salary for 1839, | 500 00 |
| | C. C. Battle, Governor Dudley's 1st quarter salary as Governor of No. Carolina, for 1840, | 500 00 |
| April | C. C. Battle, Private Secretary to Governor Dudley, his 1st quarter salary for 1840, | 75 00 |
| July | C. C. Battle, Gov. Dudley's 2d quarter salary as Gov. for 1840, | 500 00 |
| | C. C. Battle, Private Secretary to Governor Dudley, his 2d quarter salary for 1840, | 75 00 |
| Oct. | C. C. Battle, Governor Dudley's 3d quarter salary as Governor of No. Carolina for 1840, | 500 00 |
| | C. C. Battle, Private Secretary to Governor Dudley, his 3d quarter salary as Sect. for 1840, | 75 00 |
| | | <hr/> \$ 2,300 00 |

STATE DEPARTMENT.

| | | |
|-------|---|--------------|
| Jan. | William Hill, Secretary of State, his 4th quarter salary, for 1839, | 200 00 |
| April | William Hill, Secretary of State, his 1st quarter salary for 1840, | 200 00 |
| July | William Hill, Secretary of State, his 2d quarter salary for 1840, | 200 00 |
| Oct. | William Hill, Secretary of State, his 3d quarter salary for 1840, | 200 00 |
| | | <hr/> 800 00 |

TREASURY DEPARTMENT.

| | | |
|--------|---|--------|
| Jan'y. | Charles L. Hinton, Public Treasurer, his 4th quarter salary for 1839, | 375 00 |
| | S. Birdsall, Clerk to the Treasurer, his 4th quarter salary for 1839, | 125 00 |
| April | C. L. Hinton, Public Treasurer, his | |

| | | | |
|-------|--|--------|----------|
| 1840 | 1st quarter salary for 1840, | 375 00 | |
| | S. Birdsall, Clerk to the Treasurer, his 1st quarter salary for 1840, | 125 00 | |
| July | C. L. Hinton, Public Treasurer, his 2nd quarter salary, | 375 00 | |
| | S. Birdsall, Clerk to Treasurer, his 2nd quarter salary, | 125 00 | |
| Oct'r | C. L. Hinton, Public Treasurer, his 3rd quarter salary, | 375 00 | |
| | S. Birdsall, Clerk to Treasurer, his 3rd quarter salary, | 125 00 | |
| | | <hr/> | 2,000 00 |

COMPTROLLER'S DEPARTMENT.

| | | | |
|--------|--|----------|----------|
| Jan. | Wm. F. Collins, Comptroller of Pub- lic Acts. his 4th quarter salary for 1839, | \$250 00 | |
| April, | W. F. Collins, his 1st qr. salary 1840, | 250 00 | |
| July, | W. F. Collins, his 2nd qr. salary " | 250 00 | |
| Oct. | W. F. Collins, his 3rd qr. salary " | 250 00 | |
| | | <hr/> | 1,000 00 |

ADJUTANT GENERAL'S OFEICE.

| | | | |
|--------|---|--------|--------|
| Jan. | Gen. Beverly Daniel, his half year's salary as Adjutant General, 1839, | 100 00 | |
| Aug't. | Gen. Beverly Daniel, his half year's salary as Adjutant General, 1840, | 100 00 | |
| | | <hr/> | 200 00 |

JUDICIARY.

| | | | |
|------|--|----------|--|
| 1839 | | | |
| Nov. | Hon. Frederick Nash, Judge of Su- perior Court of Law and Equity, 10 certificates, | \$975 00 | |
| | Hon. Thomas Settle, Judge of Supe- rior Court of Law and Equity, 10 certificates, | 975 00 | |
| | Hon. John L. Bailey, Judge of Supe- rior Court of Law and Equity, 10 certificates, | 975 00 | |
| | Hon. R. M. Saunders, Judge of Supe- rior Court of Law and Equity, 10 certificates, | 975 00 | |
| | J. W Guinn, Solicitor, 7 certificates, | 140 00 | |
| | Jno. R. J. Daniel, " 4 " | 80 00 | |
| | David Outlaw, 1 " | 20 00 | |

| | | |
|--------|---------------------------------------|--------|
| 1839 | James R. Dodge, " 1 " | 20 00 |
| Dec. | Hon. R. M. Pearson, Judge, 6 " | 975 00 |
| | J. F. Poindexter, Solic'r. 11 " | 220 00 |
| | W. H. Washington, " 8 " | 160 00 |
| | David Outlaw " 4 " | 80 00 |
| | J. R. J. Daniel Atto. Gen. 1 " | 20 00 |
| | D. Baker Solicit'r pro-tem 1 " | 20 00 |
| 1840 | Hon. Thos. Ruffin, C. Justice, Su- | |
| Jan'y. | preme Court, his 4th qr. salary | 625 00 |
| | " Wm. Gaston, Judge Supreme | |
| | Court, his 4th qr. salary, | 625 00 |
| | Hon. Jos. D. Daniel, Judge of Supe- | |
| | rior Court, his 4th qr. salary, | 625 00 |
| | Hon. John D. Toomer, Judge of Sup. | |
| | Courts of Law and Equity, half | |
| | years salary, 10 cert. | 975 00 |
| | John R. J. Daniel, Atto. Gen. for at- | |
| | tending December Term of Su- | |
| | preme Court, | 100 00 |
| | A. Troy, Solicitor, 5 cert. | 100 00 |
| | W. H. Battle, Reporter to Supreme | |
| | Court, | 150 00 |
| | Paid Turner & Hughes, for Printing | |
| | Publishing & distributing 101 co- | |
| | pies of the June Term of Su- | |
| | preme Court, | 444 53 |
| March. | John L. Henderson, Clerk to the Su- | |
| | preme Court of North Carolina, | 343 50 |
| | Paschal B. Burt, Sheriff of Wake | |
| | County, for his attendance on Su- | |
| | preme Court 64 days, at two dol- | |
| | lars per diem, | 128 00 |
| | David Outlaw, Solicitor, 3 certifi- | |
| | cates, | 60 00 |
| | James R. Dodge, " 2 " | 40 00 |
| April. | J R. J. Daniel, Atto Gen. 6 " | 120 00 |
| | Jas. R. Dodge, Solicit'r. 1 " | 20 00 |
| | Hon. Thomas Ruffin, Chief Justice | |
| | of Supreme Court, his 1st. qr. sala- | |
| | ry as Judge, | 625 00 |
| | " William Gaston, Judge of Su- | |
| | preme Court, his 1st. qr. salary, | 625 00 |
| | " Joseph J. Daniel, Judge of | |
| | preme Court, his 1st qr. salary, | 625 00 |
| | " Thomas Settle, Judge of Supe- | |
| | rior Courts of Law and Equity, his | |
| | half years' salary, | 975 00 |
| May | " R. M. Pearson, Judge, 10 cert. | 975 00 |
| | " F. Nash, do 10 do | 975 00 |
| | " Jno. D. Toomer, do 10 do | 975 00 |

| | | | |
|--------|--|-----------------|-------------------|
| 1840 | | | |
| | " Jno. L. Bailey, | do 11 do | 975 00 |
| | James R. Dodge, Solicitor, | 4 do | 80 00 |
| | John F. Poindexter, | do 11 do | 220 00 |
| | James R. Dodge, | do 4 do | 80 00 |
| | A. Troy, | do 7 do | 140 00 |
| | David Outlaw, | do 7 do | 140 00 |
| | James Cook, Solicitor <i>pro tem.</i> | 1 cert. | 20 00 |
| June | Hon. Edward Hall, Judge, | 6 cert. | 975 00 |
| | J. W. Guinn, Solicitor, | 11 do | 220 00 |
| | James R. Dodge, | do 2 do | 40 00 |
| | W. H. Battle, Rep. to Supreme Court, | | 150 00 |
| | Turner & Hughes, for printing, publishing and delivering 101 copies of Supreme Court Reports for June Term, | | 448 60 |
| July. | Hon. William Gaston, Judge of Supreme Court, his 2d qr. salary, | | 625 00 |
| | " Thomas Ruffin, Chief Justice, his 2d qr. salary as Judge of S. C. | | 625 00 |
| | " Joseph J. Daniel, Judge of Supreme Court, his 2d qr. salary, | | 625 00 |
| | Jno. R. J. Daniel, Attorney General, his compensation for attending Supreme Court, | | 100 00 |
| | Wm. H. Washington, Sol. | 12 cert. | 240 00 |
| | Hon. Jno. M. Dick, Judge, his half y'rs. salary, 10 certificates, | | 975 00 |
| Aug. | James R. Dodge, Solicitor, | 3 cert. | 60 00 |
| | John L. Henderson, Clerk to the Supreme Court, his salary, and for record books and recording 1,481 pages, at 30 cents per page, | | 632 30 |
| Sept. | Alex. Troy, Solicitor, | 3 certificates, | 60 00 |
| | Jno. R. J. Daniel, Att'y. Gen. | 3 do | 60 00 |
| | David Outlaw, Solicitor, | 2 do | 40 00 |
| | Paschal B. Burt, Sheriff of Wake co. for 64 days' attendance on Sup'm. Court, at 2 dollars per diem, | | 128 00 |
| Oct'r. | Hon. Thomas Ruffin, Chief Justice, his 3rd qr. salary, | | 625 00 |
| | " William Gaston, Judge of Supreme Court, his 3rd qr. salary, | | 625 00 |
| | Jno. R. J. Daniel, Att'y. Gen. | 7 cert. | 140 00 |
| | Jas. R. Dodge, Solicitor, | 1 cert. | 20 00 |
| | | | <hr/> \$24,834 93 |

PUBLIC PRINTING.

1839

Nov. Thomas J. Lemay, printing done for

| | | | |
|-------------|--|---------|----------|
| | the State, | \$39 50 | |
| Dec'r. | Thomas J. Lemay, printing done for the State, | 22 75 | |
| | Thomas Loring, his acc't. for printing Comptroller's Report of 1839, notices of weights and measures, and one years' subscription to Standard to the Gov. use, | 86 25 | |
| 1840 Jan'y. | Thomas J. Lemay, printing and publishing Comptroller's Rep. of 1839, | 75 00 | |
| | Weston R. Gales, printing and publishing Comptroller's Report, also for printing done for the use of Treasury and Comptroller's Departments, | 152 00 | |
| March. | Weston R. Gales, being amount of R. G. Moore's acct. for advertising weights and measures and publishing Comp't. Rep. for 1839, | 85 50 | |
| | John L. Henderson, being amount of Pendleton & Bruner's acc't. for publishing weights and measures and Compt. Report, 1839, | 82 00 | |
| | Weston R. Gales, publishing notice of weights and measures, | 8 75 | |
| | Thomas Loring, for printing done for the Executive Department, | 23 50 | |
| | Weston R. Gales, printing done for the Treas. and Compt. offices, | 32 00 | |
| | Weston R. Gales, printing done for the use of the Ex. Department, | 40 50 | |
| Oct'r. | E. J. Hale, for advertising reward for apprehension of Howell, | 2 40 | |
| | Do. for adv. for G. W. Cobern, | 10 00 | |
| | | ————— | \$660 15 |

REBUILDING CAPITOL.

| | | | |
|-------------|---|----------|-------------|
| 1839 Nov. | Stephen Birdsall, Clerk to the Board of Commissioners for rebuilding Capitol, | \$363 63 | |
| Dec'r. | Stephen Birdsall, Clerk, | 8,683 63 | |
| 1840 Jan'y. | Stephen Birdsall, do | 3,280 36 | |
| Feb'y. | Stephen Birdsall, do | 3,777 05 | |
| March. | Stephen Birdsall, do to pay J. McPheeters, | 74 00 | |
| | | ————— | \$16,178 67 |

COUNCIL OF STATE.

| | | | |
|-------------|--------------------------------------|--|--|
| 1840 Feb'y. | C. C. Battle, Sec'y. to Gov. Dudley, | | |
|-------------|--------------------------------------|--|--|

| | | | |
|--|--|----------|----------|
| | to defray expenses of the Council, | \$115 80 | |
| | C. C. Battle, to defray expenses of the Council, | 81 80 | |
| | | <hr/> | \$197 60 |

PENSIONERS.

| | | | |
|------|---|---------|----------|
| 1839 | | | |
| Nov. | Alex. Campbell, his pension claim, | \$50 00 | |
| | Isabella Campbell, her pension claim, | 40 00 | |
| 1840 | | | |
| May, | John H. Bryant, agent of Margaret Bexly, amount of pension allowed her by the county court of Craven, | 50 00 | |
| | John H. Bryant, agent of Jno. Rhem, allowed by the county court of Craven, | 100 00 | |
| | | <hr/> | \$240 00 |

WEIGHTS AND MEASURES.

| | | | |
|---------|---|----------|------------|
| Ja'nry, | C. Wallace, for furnishing weights & measures, out of appropriation for that purpose, | \$300 00 | |
| May | C. Wallace, from the fund set apart by act of Assembly for furnishing weights and measures, | 244 50 | |
| June, | C. Wallace, from the fund set apart by act of Assembly for furnishing weights and measures, | 575 75 | |
| July, | C. Wallace, for furnishing weights and measures under act of Assembly, | 1,182 75 | |
| Aug'st | C. Wallace & Co. out of appropriation for furnishing weights and measures, | 575 75 | |
| Oct'er | Paid Wallace and Sutton for furnishing weights & measures, ten sets, | 575 75 | |
| | Paid E. H. Wingate, Cashier, draft of R. G. Rankin, for distributing weights and measures, | 375 00 | |
| | | <hr/> | \$3,829 50 |

POST OFFICE ACCOUNT.

| | | | | |
|---------|-----------------------------------|----------|--|----------|
| 1839 | | | | |
| Nov. | Thomas G. Scott, postage account, | \$258 10 | | |
| Dec. | do do do do | 24 39 | | |
| 1840 | | | | |
| Feb'ry, | do do do do | 6 29 | | |
| July. | do do do do | 4 49 | | |
| Aug. | do do do do | 250 06 | | |
| Oct. | do do do do | 128 68 | | |
| | | <hr/> | | \$669 01 |

1839

CHEROKEE LAND SALES.

Nov.

Samuel F. Patterson, for services employed in making out 1,219 duplicate plats and certificates of the survey of Cherokee Lands, by the direction of Gov. Dudley, at \$5 per day,

\$625 00

1840

SHERIFFS FOR SETTLING TAXES of 1839.

Aug't

Israel Broaks, Sh'ff of Hyde co. for settling, 24 70

William Thompson, Wayne, do 9 00

Lewis B. Krimminger, Cabarrus, do 16 80

Joseph S. Jones, Warren, do 8 50

Isaac White, Randolph, do 11 50

Jno. W. Taylor, Greene, do 9 50

Jno. Davis, Lenoir, do 11 30

Thomas L. Lea, Caswell, do 9 50

Martin Roberts, Rockingham, do 13 00

James W. Doak, Guilford, do 12 00

William W. Brickell, Halifax, do 10 50

Wm. D. Rascoe, Chowan, do 18 00

Lewis B. Krimminge^r, Cabarrus, do 15 00

Samuel Terry, Richmond, do 13 00

Nelson G. Howell, Haywood, do 33 00

Robert Thomas, Henderson, do 30 00

Willie Jones, Buncombe, do 30 00

Eli McKee, Macon, do 37 60

Thomas McGehee, Cherokee, do 41 50

George Philips, Ashe, do 24 00

Abner Carmichal, Wilkes, do 21 00

Joshua A. Pool, Pasquotank, do 23 00

Nathan Bagley, Perquimons, do 21 00

Thomas N. Alexander, Mecklenburg, do 19 00

William D. Pettway, Edgecomb, do 8 85

James Carson, Rutherford, do 25 00

Allen S. Ballenger, Johnston, do 5 50

Arthur S. Mooring, Martin, do 12 00

James Quinn, Lincoln, do 22 00

Salathiel Stone, Stokes, do 13 20

Richard G. Cowper, Hertford, do 15 50

Amma B. Chesnut, Sampson, do 9 50

Allen Grist, Beaufort, do 15 00

Jno. H. Hardie, Rowan, do 15 00

Etheldred Peebles, Northampton, do 23 00

Jno. H. Pearson, Burke, do 23 00

Thomas Wilson, Yancy, do 30 00

Will. H. Bryant, Nash, do 8 00

Joseph M. Bogle, Iredell, do 19 50

1840

Sept.

| | | | |
|----------------------|--------------|----|-------|
| Risden M. McDaniel, | Jones, | do | 13 50 |
| Isaac Baxter, | Currituck, | do | 25 00 |
| Thomas Merry, | Camden, | do | 25 75 |
| James R. Riddick, | Gates, | do | 18 00 |
| John McCleese, | Tyrrell, | do | 23 00 |
| Robt. B. Davis, | Washington, | do | 18 00 |
| Eben Hearne, | Montgomery, | do | 15 00 |
| Jno. M. Smith, | Davidson, | do | 14 20 |
| Paschal B. Burt, | Wake, | do | 3 00 |
| Leslie Gilliam, | Granville, | do | 7 50 |
| James C. Turrentine, | Orange, | do | 6 60 |
| Guston Perry | Franklin, | do | 6 00 |
| Alex. Johnson, | Cumberland, | do | 8 90 |
| George W. Melvin, | Bladen, | do | 12 60 |
| Neill McAlpin, | Robeson, | do | 12 00 |
| Owen Fennell, | New Hanover, | do | 16 20 |
| David W. Sanders, | Onslow, | do | 18 00 |
| Young H. Allen, | Anson, | do | 15 00 |
| Henry G. Hampton, | Surry, | do | 18 00 |
| George Dill, | Carteret, | do | 19 50 |
| John Freeman, | Bertie, | do | 14 00 |
| Thomas Foster, | Davie, | do | 17 00 |
| Benjamin M. Selby, | Pitt, | do | 12 00 |
| John Harman, | Chatham, | do | 6 30 |
| Hardy Watters, | Person, | do | 8 50 |
| Evander M'Intosh, | Moore, | do | 9 00 |
| John E. Hussey, | Duplin, | do | 14 50 |
| Robert W. Woodside, | Brunswick, | do | 20 80 |
| John B. Dawson, | Craven. | do | 15 00 |

————— 1,120 10

GOVERNOR'S ELECTION.

| | | | |
|--|-------------|----|-------|
| Israel Brooks, Sh'ff. of Hyde co. for mak- ing Returns, | | | 24 00 |
| William Thompson, | Wayne, | do | 8 00 |
| Lewis B. Krimminger, | Cabarrus, | do | 16 00 |
| Joseph S. Jones, | Warren, | do | 8 00 |
| Guston Perry, | Franklin, | do | 8 00 |
| Leslie Gilliam, | Granville, | do | 4 00 |
| Isaac White, | Randolph, | do | 10 00 |
| John W. Taylor, | Greene, | do | 10 00 |
| John Davis, | Lenoir, | do | 12 00 |
| Nathan Bagley, | Perquimons, | do | 20 00 |
| James R. Riddick, | Gates, | do | 18 00 |
| Thomas L. Lea, | Caswell, | do | 10 00 |
| Martin Roberts, | Rockingham, | do | 14 00 |
| James W. Doak, | Guilford, | do | 12 00 |
| William W. Brickell, | Halifax, | do | 10 00 |

| | | | | |
|-------|----------------------|--------------|----|--------|
| 1840 | | | | |
| Sept. | William D. Rascoe, | Chowan, | do | 14 00 |
| | Samuel Terry, | Richmond, | do | 12 00 |
| | George Phillips, | Ashe, | do | 28 00 |
| | Nelson G. Howell, | Haywood, | do | 36 00 |
| | Wilie Jones, | Buncomb, | do | 34 00 |
| | Eli McKee, | Macon, | do | 46 00 |
| | Abner Carmichal, | Wilkes, | do | 22 00 |
| | Joshua A. Pool, | Pasquotank, | do | 20 00 |
| | Thomas N. Alexander, | Mecklenburg, | do | 20 00 |
| | Will. D. Pettway, | Edgecomb, | do | 10 00 |
| | James Carson, | Rutherford, | do | 26 00 |
| | Allen S. Ballenger, | Johnston, | do | 4 00 |
| | Arthur S. Mooring, | Martin, | do | 4 00 |
| | James Quinn, | Lincoln, | do | 4 00 |
| | Salathiel Stone, | Stokes, | do | 4 00 |
| | Richard G. Cowper, | Hertford, | do | 4 00 |
| | Amma B. Chesmut, | Sampson, | do | 2 00 |
| | John H. Hardie, | Rowan, | do | 4 00 |
| | Allen Grist, | Beaufort, | do | 4 00 |
| | Etheldred Peebles, | Northampton, | do | 4 00 |
| | John H. Pearson, | Burke, | do | 24 00 |
| | Thomas Wilson, | Yancy, | do | 30 00 |
| | Josheph M. Bogle, | Iredell, | do | 4 00 |
| | Risden McDaniel, | Jones, | do | 14 00 |
| | Thomas Merry, | Camden, | do | 24 00 |
| | John McCleese, | Tyrrell, | do | 22 00 |
| | Eben Hearne, | Montgomery, | do | 4 00 |
| | John M. Smith, | Davidson, | do | 4 00 |
| | Paschal B. Burt, | Wake, | do | 4 00 |
| | James C. Turrentine, | Orange, | do | 4 00 |
| | Alex. Johnson, | Cumberland, | do | 10 00 |
| | George W. Melvin, | Bladen, | do | 16 00 |
| | Neill McAlpin, | Robeson, | do | 4 00 |
| | David W. Sanders, | Onslow, | do | 4 00 |
| | Young H. Allen, | Anson, | do | 4 00 |
| | H. G. Hampton, | Surry, | do | 4 00 |
| | George Dill, | Carteret, | do | 4 00 |
| | John Freeman, | Bertie, | do | 4 00 |
| | Benjamin M. Selby, | Pitt, | do | 16 00 |
| | Hardy Walters, | Person, | do | 4 00 |
| | Evander McIntosh, | Moore, | do | 4 00 |
| | Robert W. Woodside, | Brunswick, | do | 4 00 |
| | | | | <hr/> |
| | | | | 698 00 |

SENATORIAL ELECTIONS.

| | | |
|---|----------|-------|
| Isr'l Brooks, Sh'ff of Hyde, for Senatorial | | |
| | returns, | 10 00 |
| John W. Taylor, | Greene, | do |
| | | 3 75 |

| | | | |
|-------|--------------------|-------------|----------------|
| 1840 | | | |
| Sept. | John Davis, | Lenoir, | 8 58 |
| | William D. Rascoe, | Chowan, | 6 16 |
| | Joshua Williamson, | Columbus, | 10 00 |
| | Samuel Terry, | Richmond, | 7 16 |
| | Nelson G. Howell, | Haywood, | 2 50 |
| | Robt. Thomas, | Henderson, | 7 50 |
| | Wilie Jones, | Buncombe, | 7 50 |
| | Eli McKee, | Macon, | 8 83 |
| | Francis McGee, | Cherokee | 16 66 |
| | George Philips, | Ashe, | 7 50 |
| | Abner Carmichal, | Wilkes, | 2 50 |
| | Joshua A. Pool, | Pasquotank, | 4 16 |
| | Allen Grist, | Beaufort, | 7 63 |
| | Thomas Wilson, | Yancy, | 4 50 |
| | John H. Pearson, | Burke, | 6 50 |
| | Risden McDaniel, | Jones, | 7 83 |
| | Isaac Baxter, | Currituck, | 3 58 |
| | Thomas Merry, | Camden, | 3 75 |
| | James Riddick, | Gates, | 4 16 |
| | John McCleese, | Tyrrell, | 5 66 |
| | Robert B. Davis, | Washington, | 4 50 |
| | Eben Hearne, | Montgomery, | 8 16 |
| | George Melvin, | Bladen, | 9 16 |
| | Neill McAlpin, | Robeson, | 6 50 |
| | George Dill, | Carteret, | 7 50 |
| | Evander McIntosh, | Moore, | 5 83 |
| | Robt. W. Woodside, | Brunswick, | 8 33 |
| | Nathan Bagley, | Perquimons, | 4 16 |
| | | | ----- \$200 75 |

CONTINGENCIES.

| | | | |
|------|---|--|----------|
| 1839 | | | |
| Nov. | Paid L. D. Kirby, A. D. Bogan and H. B. Hammond, for bringing two Prisoners from the State of Ten- nessee, | | \$567 25 |
| | Paid Kenneth Rayner, forexpenses in forwarding Seals for County and Superior Courts of Hertford, | | 35 00 |
| | Paid Robert Jones for putting pump in the well on Union Square, | | 34 00 |
| Dec. | Paid William Hill, Secretary of State advance for candles for the use of the State, &c. | | 23 56 |
| | Paid Turner & Hughes amount of | | |

| | | |
|--------|---|--------|
| 1840 | their Stationary bill against the State, | 93 70 |
| Jan'y. | Paid C. C. Battle, being amount advanced by him for payment of several small accounts against the State, (see bills,) | 33 57 |
| | Paid C. C. Battle on account of Gen. A. McRae, for freight and storage of Public arms, received from the United States, (see bill,) | 149 07 |
| | Paid Fabius J. Haywood, rent of two rooms for the use of Sup. Court, | 200 00 |
| | Paid William Harbison, of Lincoln, as per resolution of the General Assembly, | 20 00 |
| | Paid William Hill, Sec. of State, his salary as Librarian, | 12 50 |
| | Paid Cashier of the Cape Fear Bank, being amount of discount on Georgia and South Carolina notes, | 63 90 |
| Feb'y. | Paid Wm. Hill, Secretary of State, for recording deeds for lands sold by Sheriffs, for taxes and other expenses, | 19 43 |
| March, | " George E. Badger, payment of cost and Clerk's fees determined in Supreme Court of the United States, | 98 79 |
| | Duncan G. McRae, freight of public Arms from Wilmington to Fayetteville, | 73 45 |
| April. | William Hill, Secretary of State, his 1st quarter salary as Librarian, | 12 50 |
| May | William F. Collins, for fire wood furnished the Public Officers during winter, | 146 25 |
| July. | Lunsford Lane, for attending on Executive Office, six months ending 31st Dec. 1839, | 24 00 |
| | Lunsford Lane, for services attending on the Executive office from January 1st to July 1st, 1840, | 24 00 |
| Aug. | William Hill, Secretary of State, his 2nd quarter salary as Librarian, | 12 50 |
| | Fabius J. Haywood, rent of rooms for the use of the Supreme Court, | 100 00 |
| | Paid Joseph Call, for filling up the excavation made in the Capitol Square by the Rail Road, | 36 25 |
| | Paid John Buffal'ow, for carrying ex- | |

| | | |
|-------|---|-------------------|
| 1840 | press to J. A. Anderson, Counsellor of State, | 25 25 |
| | Paid Bob Jones, for repairing Pump in Union Square, | 4 00 |
| Sept. | Paid Sam Jones, for removing the rock and rubbish from Union Square, he being the lowest bidder for the same, | 100 00 |
| | Paid Duncan G. McRae, for keeping Public Arms at Fayetteville, | 60 00 |
| | Paid Wm. Hill, Secretary of State, as Librarian, his 3rd quarter salary, | 12 50 |
| | | <hr/> \$1,981 47 |
| | | <hr/> \$57,535 18 |

RECAPITULATION OF DISBURSEMENTS

At the Public Treasury from the 1st day of November, 1839, to 31st October, 1840, inclusive.

| | |
|---|-------------------|
| Executive Department, | 2,300 00 |
| State, Do | 800 00 |
| Treasury, Do | 2,000 00 |
| Comptroller's, Do | 1,000 00 |
| Adjutant General's Office, | 200 00 |
| Judiciary, | 24,834 93 |
| Public Printing, | 660 15 |
| Rebuilding Capitol, | 16,178 67 |
| Council of State, | 197 60 |
| Pensioners, | 240 00 |
| Weights and Measures, | 3,829 50 |
| Post Office Department, | 669 01 |
| Cherokee Land Sales, | 625 00 |
| Sheriffs for settling taxes for 1839 in the year 1840 | 1,120 10 |
| “ Governor's Election, | 698 00 |
| “ Senatorial Elections, | 200 75 |
| Contingencies, | 1,981 47 |
| | <hr/> \$57,535 18 |

STATEMENT OF THE REVENUE OF NORTH CAROLINA.

A Statement of the nett amount of that branch of the Revenue which is receivable by Sheriffs, for the year 1839.

[illegible]

Additional Returns for 1828 and 1829.

| | |
|-------------|------------------------|
| Asawell | 1 Thos. L. Lea |
| Camden | 2 John L. Ferrill |
| Hertford | 3 Edward K. Jiggetts |
| Lincoln | 4 James Quinn |
| Northampton | 5 Etheldred J. Peebles |
| Rockingham | 6 Martin Roberts |
| Wake | 7 R. B. ... |

A Statement of the Revenue which is derived from duties imposed on Sales at Auction, and from the Banks of the State, for Tax on Stock, at one-fourth per cent. on each share held by individuals, for the years 1839 and '40.

| Year | Names of Ancient | Counties and Years. | Am/Den from Anc | Am/Den from Pres |
|------|-----------------------|----------------------------|-----------------|------------------|
| | | | Dolls. Cts. | Dolls. Cts. |
| 1901 | Tolson Barr. | New Hampshire, 1838 to '29 | 73 | 73 |
| 1905 | Do | Do 1829 to '40 | 73 | 73 |
| 1908 | John Hight. | Do 1838 to '29 | 52 | 52 |
| 1914 | Do | Do 1830 to '40 | 47 | 47 |
| 1916 | Gold Heyr. | Pitt 1838 to '40 | 56 | 56 |
| 1918 | Henry Brown. | Graven 1838 to '40 | 9 | 9 |
| 1919 | Simon Barre. | Do 1838 to '40 | 9 | 9 |
| 1920 | Joseph S. Fowler. | Do 1829 to '40 | 9 | 9 |
| 1921 | William and Sophia. | Wake 1838 to '40 | 11 | 11 |
| 1923 | Do | Do 1838 to '40 | 11 | 11 |
| 1924 | Elipha Canaday. | Carter 1830 to '40 | 34 | 34 |
| 1925 | Do | Do 1830 to '40 | 34 | 34 |
| 1926 | Percy Carter. | Hampden 1838 to '40 | 27 | 27 |
| 1927 | Amos Kimball. | Union 1838 to '40 | 91 | 91 |
| 1928 | Do | Do 1838 to '40 | 71 | 71 |
| 1929 | Sam'l W. Tillingdall. | Do 1839 to '40 | 71 | 71 |

| | | | |
|--------|-----------------|--------|-------|
| 224 96 | | 635 13 | 319 0 |
| 973 00 | Revenue 3 1/2 % | | |

| Revenue derived from Tax on Individual Bank Stock. | | | | | |
|--|----------------------------|--------------------|--------------|------------|------------|
| Banks, | | Individual Shares, | Am't due, | Am't paid. | |
| 179 24 | Bank of the State of N. C. | 9000 | 1840 | 2250 00 | 2250 00 |
| 903 65 | Do. Cape Fear. | 17550 | for 1839-'40 | 4312 50 | 4312 50 |
| 676 46 | Do. Merch's B'k Newbern, | 2050 | do | 562 50 | 562 50 |
| 262 55 | | | | | |
| 236 08 | | | | | |
| 675 58 | | | | \$7,124 00 | \$7,124 00 |

776 23
182 59

RECAPITULATION OF RECEIPTS.
PUBLIC FUND

Received from the following sources:

| | | | |
|-----|----|--|------------|
| 876 | 15 | Bank Tax, Bank of Cape Feat, | \$4,319 50 |
| 876 | 15 | Bank Dividends, do, do, | 65 00 |
| 737 | 60 | Bank Tax, Merchants' Bank of Newbern, | 563 50 |
| 427 | 23 | Public Revenue received of Scientists, (taxes due for 1839.) | 7,657 05 |
| 567 | 31 | Bank Tax on individual Stock, Bk of the State, 2,950 00 | |
| 213 | 10 | | |
| 042 | 31 | Deduct balance due Public Treas. 1st Nov. 1839, | 84,507 05 |
| 042 | 31 | | 3,380 50 |
| 200 | 23 | Deduct disbursements from 1 Nov. 1839, to 31 Oct. 1840, inclusive, | 80,576 49 |
| 200 | 23 | Balance due Public Fund, Nov. 1, 1840, | \$7,535 14 |
| | | | 22,941 |

| LITERARY FUND. | |
|----------------|---|
| 388 86 | Recapitulation of Receipts since Nov. 1, 1889. |
| 845 50 | Balance due President and Directors Literary Fund, 1st Novbr. |

| | |
|-------------------------------|------------|
| 1839, | £42 956 54 |
| 098 15 Entries of vacant land | 1855 47 |

| | | | | |
|-----|----|--|---|-----------|
| 115 | 76 | Auctioneers' x on sales in auction, | - | 519 07 |
| 131 | 09 | Bank Dividends, Bank of Cape Fear, | - | 33,845 30 |
| 163 | 77 | Do do do State, | - | 31,250 00 |
| 77 | 22 | Principal on Loans by Literary Board, | - | 26,183 85 |
| 77 | 22 | Interest on loans by Literary Board, | - | 15,493 14 |
| 19 | 54 | Roscoe Navigation Company, dividends, | - | 1,425 00 |
| 121 | 87 | Interest on loans by Internal Improvement Board, | - | 1,252 19 |
| | | Interest on bonds of the State, | - | 1,252 19 |

| | | | |
|--------|----------------|--|----------|
| 49 87 | D ₁ | Raleigh and Gaston R R Co. | 7,530 16 |
| 020 79 | D ₂ | Raleigh and Wilmington R R Co. | 5,433 63 |
| | | Tavern tax (retailers of spirituous liquors) | 2,755 86 |

| | | | | |
|------|----|--|---------|----|
| 1849 | 81 | | 170,337 | 41 |
| 1850 | 19 | Debit disbursements from Nov 1, 1839 to Oct 31, 1840 | 92,550 | 33 |

| | | |
|---------|---|------------|
| 1897 32 | Balance due Literary Fund 1st day Nov. 1890 | 78,000 00 |
| 1911 61 | Recapitulation of Disbursements since Nov. 1, 1899. | 100,848 37 |
| 1895 66 | Swamp Lands, | |
| 1895 66 | Loans by Literary Board, | 45,307 85 |
| 1896 94 | Cape Fear Bank Stock, | 4,400 00 |
| 1913 16 | Common Schools, | 9,200 00 |
| 1915 20 | Raleigh and Gaston Rail Road Bonds, | 2,400 00 |
| | | 5,080 00 |

| | | |
|--------|---|-----------|
| 15 73 | Raleigh and Wilmington Rail Road Bonds. | 25,000 00 |
| 058 08 | Interest on deferred stock (Bank of Cape Fear.) | 34 50 |

| | | | |
|-----|----|---|-----------|
| 535 | 81 | Expenses of Library Board, | 1188 00 |
| 539 | 93 | | 92 580 35 |
| 544 | 17 | INTERNAL IMPROVEMENT FUND. | |
| | | <i>Recapitulation of Receipts.</i> | |
| 577 | 41 | Cherokee Bonds (sale 1838) | 2,575 16 |
| 594 | 73 | Principal on loans by Internal Improvement Board, | 2,637 48 |
| 598 | 10 | Bank Dividends, Bank Cash Exp. | 768 00 |

| | | |
|--------|-------------------------------|----------|
| 307 92 | Cherokee Bonds prior to 1833, | 5 512 50 |
| 305 42 | | |

| | | |
|--------|---|-----------|
| 564 75 | <i>Recapitulation of Disbursements</i> | 11.303 74 |
| 358 55 | Balance due Treas of Int Imp. Fund 1 Nov. 1839. | 9,270 63 |
| | Hepburn New Road Mezon only. | 7 50 |
| | Expenses of Board of Internal Improvement. | 577 00 |
| 110 44 | Clerk of the Board of Internal Improvement. | 322 00 |
| | Agents to receive subscription to the <i>Pay & Western R.R.</i> | 862 50 |
| | Expense incurred in survey of Neg's Road. | 234 94 |

| | |
|--|-----------|
| | 13,675 87 |
| * Debit accounts from 1 Nov. 1820 to 31 Oct. 1842 less | 11,508 14 |

| | |
|--|-----------|
| Balance due Treas. Int. Imp. Fund on 1st Nov. 1840, | 2,478 78 |
| Balance in the hands Public Treasurer, on 1st Nov. 1840, | 58,675 64 |
| | <hr/> |

02 47 The foregoing statement is founded on returns and vouchers on file
 09 91 in the Comptroller's Office November 1st, 1840.

LEGISLATURE OF NORTH CAROLINA.

RALEIGH, NOVEMBER, 1849.

REPORT

OF THE COMMISSIONERS FOR REBUILDING THE CAPITOL.

To the Honorable the General Assembly of North Carolina:

The Commissioners appointed to superintend the re-building of the Capitol, respectfully Report that, in the month of February last, they found the appropriation made by the last General Assembly for completing the work, exhausted. At that time, much of the necessary plastering and wood work was unfinished, and the house in such a state that it could not be occupied either by the Executive officers, or by the Legislature. The Commissioners had either to discharge the hands and suspend the work until the meeting of your honorable body, or to procure a loan, on the credit of the State, for the completion of the work. Of these alternatives, many considerations inclined them to choose the latter. Had the work been then suspended, the just expectations of the General Assembly, of being suitably accommodated at the present session, in a building of the State, would have been disappointed, and no building in the City could have been procured for the temporary use of your honorable body, except at a very large expense entirely disproportionate to the value of the accommodation. Nothing would have been saved to the State by such a course; but, on the contrary, the completion of the work afterwards would have been accomplished only at an increased expenditure, by the necessity of re-collecting the workmen, and procuring again the services of an efficient Superintendent; and, therefore, the money expended for the temporary accommodation of the Legislature in another building, would have been a total loss, gratuitously incurred, without any hope of advantage whatever. By making a loan to carry on the work, the Commissioners would discharge their duty by a completion of the House—would afford convenient accommodations to the members of the Legislature—and, they doubted not, give complete satisfaction to your honorable body. It was remembered, also, by the Commissioners, that before the last General Assembly, a similar difficulty from want of funds, had been relieved by similar means, and the transaction had received the approbation of that body—and whatever responsibility ought to attach to such a course, the Commissioners

thought, under the circumstances in which they were placed, it was a plain duty which they owed to the public to assume it, and submit themselves to the just and fair consideration of your honorable body.

Influenced by these considerations, a majority of the Board made an application to the Bank of the State, and the Bank of Cape Fear, for a loan to enable them to prosecute the work. The former institution agreed to advance one moiety of the sum required, upon the other moiety being advanced by the latter; but the Bank of Cape Fear declined to lend at all.

The Board then applied to the President and Directors of the Literary Fund, but that body was not in a condition to afford assistance; and finally, a renewed application to the Bank of the State was successful. The Directors agreed to give the Commissioners a credit to the amount of twenty thousand dollars, to be drawn for in such portions as from time to time might be desired. This sum, it was supposed, from estimates then made, would be enough to complete the building and furnish it in a plain and sufficient manner; but when it was expended, the Commissioners found, to their great regret and disappointment, that the halls and whole interior needed painting, the Clerks and Speakers' desks were unfinished, the drapery for the Speakers' Chairs, curtains for the windows, chandeliers for the rotunda, stair-cases and passages were still wanting. A majority of the Board resolved to procure a further loan of two thousand dollars, to supply the deficiency so far as was necessary to the accommodation of your honorable body. Application was accordingly made to both the Banks of the State and of Cape Fear, but was met by a decided refusal. The same majority then resolved to procure what was deemed necessary, so far as it could be done, upon the credit of the State, from those who were willing to supply the materials and labor, and wait for their compensation the action of the Legislature. They have, accordingly, caused the desks to be completed, the halls and doors to be painted, and suitable chandeliers to be procured. The room designed for the Supreme Court, and that for the State Library, are still unfinished. Two of the apartments on the first floor are in the same situation; and suitable draperies, curtains and carpets, are still necessary to complete the interior arrangements of the Capitol; while the enclosure of the Square with a fence of durable materials, in a style to correspond with the building itself, is suggested by a correct taste, and demanded by a suitable regard for the preservation of the house and of the highly ornamental grove in which it stands. The Commissioners have taken steps to procure, from a competent source, a plan and estimates for such an enclosure; which, it is hoped, will reach this City in time to be submitted to your honorable body before the close of the session. A removal of the old Offices, which now but deform the Square, without adding to its convenience, it is presumed will, of course, constitute a part of the plan of improvements.

An enquiry reasonably arises, upon the foregoing statement, how it has happened that the estimates have so often fallen short of the actual expenditures. Let those who make this enquiry remember, that even of common

works, the expenses cannot often be correctly anticipated—that in regard to all large public works, the difficulty of attaining correctness is greatly increased—that in regard to this, the most skilful seldom approach to certainty—that scarce an instance is to be found in which the actual, have not exceeded the estimated, cost of a public work, whether projected by the General Government or by one of the States—whether it be a building, a canal, a rail road or a pier. To these general considerations let it be added, that in our case, the work was peculiar—the material in itself difficult to be procured—not often used by us for building purposes at all—and never before for the entire erection of a large edifice—that no experience or practical knowledge was possessed by those who lived here; and that strangers, however skilful in the general statistics of such works, must necessarily want the local knowledge to give particular and precise application of their estimates to the state and condition of the country. It is believed, if these things are duly considered, in connection with the vastness of the work—the variety and complication of its parts—and the diversity of labor and mechanical art necessary to its execution—every reasonable mind will find a fair solution of the enquiry, without imputing to any a culpable design to deceive, or a criminal negligence of attaining to truth.

Besides, it must be remembered that the Commissioners were themselves without any professional skill, and were therefore obliged to resort to, and rely upon the calculations of others; that these calculations were founded upon the supposed industry and fidelity of every subordinate and every laborer employed in the work; that amongst a large number of them, some would be found dishonest, many indolent, and it was not possible for the Commissioners, without an almost total abandonment of their private affairs, to exercise such constant inspection as would ensure diligence and punctuality. What could be done by men in their situation, it is believed was faithfully done. But often, and unexpectedly, as the Commissioners would present themselves in the different departments of the work, and though the probability of such visits might, and doubtless did, prevent the absence or open suspension of the work by the hands employed, yet it could not be adequate to ensure a diligent prosecution of labour in the intervals of observation; that, despite of all their attention, much loss was thus suffered by the State, the Commissioners are compelled to believe. They feel conscious, however, of having endeavoured to practice a just economy, while they regarded the taste and quality of the work entrusted to their charge; and they know that every effort has been made to discharge the trust confided to them in a manner likely to give satisfaction to your honorable body, and to the public. Of one thing there can be no doubt, in the Capitol just erected, the State possesses a building which, for solidity and beauty of materiel, uniform faithfulness of execution, and for architectural design, is not surpassed, if, indeed, equalled by any building in the Union. Upon it the eye of every enlightened stranger rests with delight and admiration, and his tongue breaks forth in spontaneous expressions of ap-

plause; and to North Carolinians it will remain for centuries, an object of just and becoming pride, as a noble monument of the taste and liberality of the present generation. These are thoughts which the Commissioners cherish, and consider themselves honored by having been, under the direction of the Legislature, the agents of the State in bringing to completion this great and enduring work.

As many changes have taken place in the composition of the Board, during the last two years, it is thought proper to add a statement of them, in order that the responsibility properly incurred by the measures herein before stated, may be placed upon those who ought to bear it.

In January, 1838, the board was composed of Gen. Beverly Daniel, Chairman, Rev. Dr. Wm. McPheeters, Dr. John Beckwith, W. F. Collins and D. W. Courts, Esquires. On the 26th of April, in that year, Mr. Courts resigned, and was succeeded by Charles L. Hinton, Esq. On the 20th of September, Mr. Collins resigned, and W. R. Gales, Esq. was appointed in his place. On the 25th of January, 1840, Gen. Daniel resigned, and E. B. Freeman, Esq. was appointed to succeed him, and Dr. Beckwith was chosen Chairman of the Board. In June last, Mr. Freeman resigned; and, in July, Mr. Hinton resigned; and no persons having been appointed in their room, the Board has since consisted, as it does now, of Dr. Beckwith, Rev. Dr. McPheeters and W. R. Gales, Esq.

It is due to Maj. Thos. L. West, former Clerk of the Commissioners, that an explanation shall be given of a supposed official delinquency of his, appearing in a report of a joint committee of the last General Assembly. Maj. West was then unable to produce vouchers for two sums, the one of \$1,117 39, and the other of \$409 57, necessary to the closing of his accounts—and, in reference to the larger sum, impressions were left on the minds of some injurious to him. It gives the Commissioners pleasure to be able to state, that all the vouchers have since been discovered and produced, have been submitted to the Commissioners and examined by them, and all found to be correct. The Major stands fully acquitted of all blame in the transaction, except a negligent keeping of his vouchers; and it is fully made to appear, that at the time of the Report alluded to, instead of being in default, he was actually in advance to the public the sum of \$59 50.

Besides the sum of \$20,000, borrowed of the Bank, there is due to workmen and others, various sums, amounting in the whole to from 9 to \$10,000, the particulars of which, with a full account and explanation of their whole doings in the discharge of their trust, the Commissioners are prepared to exhibit to such committee as your honorable body shall please to appoint; after which, they shall deem their functions as Commissioners for rebuilding the Capitol as at an end.

All which is most respectfully submitted on behalf of the Commissioners, by

JOHN BECKWITH, *Chairman.*

RALPHIGH, November, 1840.

No. 6.

LEGISLATURE OF NORTH CAROLINA:

RALEIGH, NOVEMBER, 1840

REPORT

OF THE

PRESIDENT AND DIRECTORS

OF

THE LITERARY FUND

OF

NORTH CAROLINA,

TO THE

GENERAL ASSEMBLY,

SHOWING

THE FISCAL OPERATIONS OF THE BOARD,

AND THE

Progress made in Draining the

SWAMP LANDS.

RALEIGH:

THOS. J. LEMAY, PRINTER FOR THE LEGISLATURE.

1840.

EXECUTIVE OFFICE, November 27th, 1840.

To the Honorable the General Assembly of North Carolina.

GENTLEMEN:

I have the honor herewith, to lay before you, the Report of the
‘President and Directors of the Literary Fund of North Carolina.’

I am, gentlemen, very respectfully,

Your obedient servant,

EDWARD B. DUDLEY.

REPORT.

EXECUTIVE OFFICE, November, 1840.

To the Honorable the General Assembly of North Carolina.

GENTLEMEN :

The President and Directors of the Literary Fund of N. Carolina, respectfully report, that the accompanying account exhibits their receipts, investments, notes, cash on hand, and payments—in a word, the fiscal operations of the Board.

The accompanying report of Major Walter Gwynn, will show the progress made in Draining the Swamp Lands, and the probable value of the enterprize.

The Journal and Bill Book of the Board, will exhibit more in detail, their proceedings.

As the period has nearly arrived, when the term of service of the present Board will expire—your attention is particularly invited to an investigation of the management of the trusts committed to them.

Respectfully, I have the honor, to be,

Your obedient servant,

EDWARD B. DUDLEY,

President Ex officio Literary Fund.

Literary Fund, from 1837, to November, 1840, inclusive, with North Carolina.

| | | | |
|-------|---------------------------------------|------------------|-----------|
| 1839 | | D.R. | |
| April | To amount then on hand, | \$27,155 | 56 |
| | Appropriation to drain swamps, | 200,000 | 00 |
| | Interest received at various periods, | 56,312 | 88 |
| | Do. do. by Board of Internal Impt. | 32,619 | 10 |
| | Tavern tax, | 11,662 | 76 |
| | Land entries, | 16,285 | 06 |
| | Auction tax, | 2,101 | 58 |
| | Bank dividends, | 213,709 | 50 |
| | Cape Fear Navigation Company, | 2,600 | 00 |
| | Bank Stock, | 3,130 | 00 |
| | Roanoke Navigation Company, | 2,625 | 00 |
| | Apparent surplus, | 3 | 24 |
| | | <u>\$568,205</u> | <u>10</u> |

CR.

| | | |
|---|------------------|-----------|
| By investment in stock, Bank Cape Fear, | \$32,200 | 00 |
| Loans per amount of notes on hand, | 155,943 | 75 |
| Amount per work draining swamp lands, | 62,829 | 24 |
| Expenses of Board four years, | 3,790 | 55 |
| Expended on Canal, Mattamuskeet, under Commissioners appointed by the General Assembly, | 8,000 | 00 |
| Invested in bonds, Raleigh and Gaston Rail Road Company, endorsed by the State, | 140,000 | 00 |
| Do. in bonds of the Wilmington and Raleigh Rail Road Company, | 85,000 | 00 |
| Paid to Common Schools, | 2,400 | 00 |
| Interest in Bank Stock, | 34 | 50 |
| Cash on hand, | 78,007 | 06 |
| | <u>\$568,205</u> | <u>10</u> |

FUNDS OF THE BOARD, VIZ :

| | |
|---|-----------------------|
| Stock, Bank of Cape Fear, | \$532,200 00 |
| Do. Bank of the State, | 500,000 00 |
| Notes, individuals and corporations, | 155,943 75 |
| Swamp improvement, | 62,829 24 |
| Bonds in Raleigh and Gaston R. R. Co. | 140,000 00 |
| Do. Wilmington and Raleigh R. R. Co. | 55,000 00 |
| Cash on hand, | 78,007 06 |
| Cape Fear Navigation Company, | 37,500 00 |
| Roanoke do. do | 50,000 00 |
| | <hr/> |
| | \$1,641,480 05 |
| Stock in the Wilmington & Raleigh R. R. Co. | 600,000 00 |
| | <hr/> |
| | <u>\$2,241,480 05</u> |

Raleigh, Nov. 1st, 1840,

E. B. DUDLEY,
President ex officio.

REPORT OF MAJ. GWYNN

ON THE

DRAINING OF THE SWAMP LANDS.

To the President and Directors of the Literary Fund of North Carolina:

GENTLEMEN: I have the honor to report to you the result of the operations since the drainage of the swamp lands was committed to my charge.

The feasibility of the undertaking has been so fully and clearly established, by former statements to the Board, (particularly by the report of Mr. Shaw,) as to render any comment from me unnecessary on the present occasion. I shall therefore proceed to the subject immediately before me.

The only tract of land, owned by the State north of Pamlico Sound, sufficiently elevated to afford a fall for its drainage, is situated on the *high grounds* which divide the waters that flow into the Albemarle from those that run into Pamlico Sound, lying between the angles formed by the meeting of the boundary lines of Washington, Hyde and Tyrell counties, near lake Pungo, which it embraces: it extends to the west shore of Alligator lake and five miles to the south of lake Pungo; on the north it includes a portion of lake Phelps, and contains, exclusive of the area of the Lakes, 64,500 acres. A reference to the map herewith submitted, will give a more perfect idea of its location, and exhibit, both in plan and profile, the main and lateral canals by which it is proposed to drain it. This tract is a portion of a swamp containing about a hundred thousand acres, an idea of the formation of which may be had by conceiving it to form, what in reality it does, a large basin, filled with decomposed, putrescent vegetable matter, saturated with water, confined and prevented from running off by an impervious subsoil & an embankment, or elevated strata of clay and sand extending nearly all around it, not sufficiently dry for tillage at the extremities and higher parts at any season of the year. When oversaturated, as is the case in the winter and spring and sometimes in the summer, the surplus water flows into Alligator and Pungo Lakes, and into Lake Phelps from

the south—towards Alligator the descent of the surface from the south is three feet and a half from the verge of the swamp or basin. The redundant water, after filling the lakes to overflowing, is discharged into Alligator, Pungo and Scuppernong Rivers over the surface and by percolation. In dry weather, the loose, spongy soil of the surrounding swamps draws the waters again from the lakes; and so great is this attraction upwards as well as horizontal, that the very surface of the swamps is kept wet during the greatest drouth and hottest summer sun—thus through the medium of this filaceous soil, the lakes and swamps reciprocally supply each other with water as there may be a preponderance in either; or, to render the description still more plain, this swamp (and so nearly all of the swamps in the State) may come under the denomination of *Land-locked Bogs* or *Morasses*, such as “are neither produced by water rising in themselves, nor by that of springs in the adjoining banks, but become wet by an accumulation of rain water stagnating on an impervious subsoil through which it can have no descent, and being surrounded by higher ground through which there is no vent or natural discharge for the water.

The plan of drainage is, therefore, obvious, and consists in cutting through the *high grounds* or elevated strata that surround the swamps and pen up the lake waters; drains, of sufficient capacity to draw off the surplus rain water which in this great basin, or laboratory of nature, has contributed, and, indeed, from its agency, in a state of stagnation, in nourishing, we may say generating those aqueous plants and trees from the decomposition of which the earthy matter of the swamps is entirely composed, may be said to be the cause of their formation. In accordance therefore with this plan two canals, denominated *main drains*, have been laid out, one leading from Pungo Lake to Pungo river, the other leading from Alligator Lake to Rntman's Creek, a tributary to Pungo River. The former, which we will call Pungo Canal, is six miles, seven hundred and seventy-four yards in length, with an average width, at bottom, of twenty-two feet, an average depth of six feet, and a fall in the bottom of twelve and a fourth feet. The latter, the Alligator Canal, is five miles, fourteen hundred and fifty six yards long, an average width, at bottom, of thirty feet, an average depth of seven feet, and a total fall of ten feet. These canals will reduce the waters of each lake four feet, and are of sufficient capacity and fall to draw off all the water that may be thrown into them by the lateral canals traced on the map as necessary for the farther facility of draining; the immediate effects of these canals will be to render a belt of land adja-

cent to them, as well as the land around the lakes, susceptible of thorough drainage and cultivation.

At the time I took charge of the work, in April, 1839, the season for hiring hands by the year had passed, and the competition for labourers, by the month, from the Wilmington and Raleigh and the Gaston and Raleigh Rail Roads then in rapid progress, rendered it impossible to procure a sufficient force to prosecute the work with the energy that was desired. The two main canals were, nevertheless, put under contract and commenced; but owing to these causes, not much progress was made during the past year. At Christmas, the season for procuring laborers, the contractors were enabled to obtain a large force, and the work has since progressed steadily and rapidly, uninterrupted even by sickness of any kind. Nearly one half of the Alligator canal has been completed. The tributaries have been commenced, and on the 20th of October the water of Pungo lake was let into Pungo canal. All the effects which were anticipated of drainage on its borders and reduction of the lake water, have been realised: enough has already been accomplished to inspire confidence and to remove all doubts and apprehensions (if any exist) as to the success of the work. There are now ready for sale 8000 acres of land, bordering on Pungo lake, on the west and north west. This tract is covered with a heavy growth of cypress and maple, and has been pronounced, by competent judges, unequalled by any lands in the State; and such also is my opinion, after having contrasted it with the rich lands of Pasquotank and Perquimons, and with those of lake Phelps and Mattamuskeet. In addition to this, there are 7000 acres of Prairie land (the growth formerly cypress now cane and bamboos bordering on the canal, and on the northeast side of the lake, that may also be offered for sale. In confirmation of the productiveness of these lands, of which no one acquainted with them entertains a doubt, I would observe that similar lands in the neighborhood, but of inferior quality, subjected to the most ruinous system of cultivation for more than sixty years in succession, are still productive, yielding when the seasons are favorable to the imperfect plan of drainage, (which with but few exceptions prevails every where) from six to eight barrels of corn per acre.

I would respectfully recommend some immediate action towards bringing these lands into market;—the first step, that of laying them off into sections, is one of much labour, and can be most easily performed at this season.

During the ensuing year, Alligator Canal will be completed, and also some of the tributary canals, and before the expiration of two years, we expect to complete the entire system of drainage in reference

to this extensive tract of land. My estimate for the accomplishment of this object will consume the whole amount (\$200,000,) appropriated for this purpose, and unless some further appropriation is made, the only fund applicable to an extended system of drainage will be the proceeds of the sales of the lands—which, if for cash, would be ample (together with the amount of sales accruing from time to time on account of other lands prepared for market) to drain all the swamp lands which the State owns. This will more readily appear from the following estimate, based upon prices considerably lower than those affixed to the lands by some of the most competent and experienced judges who have examined them. Under this view, preferable to exciting expectations that would not be fully realized, I will assume the low price of \$6 per acre, and the number of acres which the present appropriation of \$200,000 will drain to be 60,000, and even at this low estimate, we have a sum exceeding the cost of drainage by \$160,000. Applying this ratio between the cost of draining and the income arising therefrom to the million of acres owned by the State, the sum although enormous would fall short of the realization.

This result, so beneficial and cheering, in itself, calculated to inspire confidence and recommend a steady and vigorous prosecution of the work to the end, is only one among the many beneficial effects which will grow out of its completion. Some of the effects to which I allude, and confidently calculate upon, have been caused by precisely similar operations in Great Britain, and are so applicable, although referring to land in a partial state of tillage, that I beg, in lieu of my own words, to substitute those of the Engineer appointed by the British Parliament to report upon the mosses and marshes of that country. He says the climate is rendered more healthy and genial to both animal and vegetable life, by the removal of stagnant water, and the prevention of those noxious exhalations arising from large tracts of moss and marshy ground, where the herbage gives but little nourishment and only promotes disease. Since the introduction of drainage into this country, the health of the inhabitants has been greatly improved; agues and other distempers being now comparatively unknown, that were formerly so frequent, occasioned by the humidity of the soil, and consequent impurity of the atmosphere, producing that miasma which so often proves fatal. The produce of the harvest, formerly precarious on such land, becomes, by drainage, ample and productive in quantity, and the quality of the grain is improved also. If land that is in tillage remains wet, every manure that is applied to it loses its

effect to a certain extent, and fails to produce that abundant crop which a less quantity would yield, if such land were laid dry.

In wet land, seasons of tillage are lost, the labour is greater and the return less. The produce is always scanty and inferior in quality; but when land is properly drained, every exertion of good husbandry is attended with success, and the farmer thrives where his predecessor was ruined. By drainage alone, it is wonderful to see the verdure that soon takes place; a bog of the worst kind after being thoroughly laid dry (without any other melioration whatever) will spontaneously produce so many new and fine grasses, the seeds and roots of which hitherto laid dormant, owing to the superfluous moisture, but now spring forth and afterwards continues to flourish and increase. The rushes that formerly occupied the whole surface, soon decline, and better grasses rise in abundance.

In addition to these many beneficial effects, the advantage of draining the swamp lands that lay scattered over the whole of the eastern portion of the State, from the Roanoke River to the Wackamaw, and from the Falls of the river to the seaboard, are of great importance in other respects.

No scheme has been or can be devised, that will so effectually stay the tide of emigration which flows like a mighty torrent from this portion of the State. The poor man who gains a scanty subsistence by the "roundshave and broadaxe," who hovers around the home of his nativity, until he exhausts the last pine tree, and is finally driven off penniless to the far West to seek a home among strangers, will here find an asylum; all his dreams of wealth and plenty can be realized in his own beloved State. A few acres of the land which from his childhood he has looked upon as a wilderness, a fit abode only for ferocious wild beasts and disgusting reptiles, now invite his labour and will reward his industry.

The health and the morals of the people will be improved, the coffers of the State filled, the community will be benefited by a greater supply of useful commodities—in short, the benefits that will result from a general and complete system of drainage, to the agricultural and general improvement of the State, are so many that the few instances (if any there be) in which they are neither seen nor acknowledged, can only proceed from prejudice.

I herewith present a map of the State lands in Carteret County, which exceed in quantity and are equal in quality to the tract we are operating upon, and can be drained at a less price than perhaps any other lands of the same extent in the State.

The tract lying between Core Sound and Neuse River at their junction contains 65,000 acres; its elevation is 12 feet above Long and Nelson Bays, and other small streams, into which it can be readily drained. This tract is mostly an open prairie; the soil a deep vegetable mould. There are two other tracts which were surveyed; one containing 12,000 acres, situated in the Newport Pocoson, between Newport River and the Clubfoot and Harlow Canal. The other, 16,000 acres in extent, lays north of Lake Ellis, at the head waters of Hunter's Creek and Newport River. Both of these tracts are also of superior quality, and are susceptible of being drained at an expense that would amply repay the State.

But the improvement that offers more immediate benefits and direct returns than any other, is the drainage of Lake Mattamuskeet; and if the State's title to the flats can be established, it should, in my opinion, after the completion of the work in which we are engaged, be the first to command the attention of the Board.

I am gentlemen, very respectfully,

Your ob't. serv't.

WALTER GWYNN, *Civil Engineer.*

Raleigh, 16th Nov. 1840.

LEGISLATURE OF NORTH CAROLINA.

RALEIGH, Dec. 1840.

A STATEMENT

OF THE

RECEIPTS AND EXPENDITURES

OF THE

RALEIGH AND GASTON RAIL ROAD.

RALEIGH AND GASTON RAIL ROAD OFFICE, }

December 1st, 1840. }

SIR:

In obedience to the requirements of the charter of the Raleigh and Gaston Rail Road Company, I have the honor herewith to submit a statement of the receipts and expenditures of the said Company, from the commencement of operations on the road up to the 1st of November last, which you will be pleased to lay before the General Assembly.

I have the honor to be,

very respectfully,

Your obt. servt.

S. F. PATTERSON, *Pres't.*

The Hon. R. B. GILLIAM,

Speaker House of Commons.

STATEMENT.

To the Honorable the General Assembly of North Carolina.

GENTLEMEN:

In compliance with the requisitions of the charter of the Raleigh and Gaston Rail Road Company, I respectfully submit the following statement of the receipts and disbursements of said Company to the 1st November instant:

| | |
|--|--------------|
| The entire amount received for the transportation of passengers, produce, and the United States Mail, has been | \$113,867 53 |
|--|--------------|

| | |
|--|-----------|
| Expenses of transportation during the same period, | 44,638 60 |
|--|-----------|

| | |
|----------------------|-------------|
| Showing a balance of | \$69,228 93 |
|----------------------|-------------|

which has been applied to the payment of interest on the loan guaranteed by the State and other debts of the Company, on account of construction.

Respectfully submitted,

S. F. PATTERSON, *Pres't*
R. & G. R. R. Comp.

*Raleigh & Gaston Rail Road Office, }
Dec. 1st, 1840. }*

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LEGISLATURE OF NORTH CAROLINA.

RALEIGH, DECEMBER 1840.

REPORT
OF
MAJ. GWYNN, CIVIL ENGINEER,
UPON
THE PRACTICABILITY AND PROBABLE COST
OF OPENING
AN INLET
AT
NAG'S HEAD.

NAG'S HEAD, MAY 27, 1840.

To the President and Directors of the Board of Internal Improvements.

GENTLEMEN: Having been appointed by your honorable body, to carry into effect the act of the last session of the General Assembly, requiring a report upon the practicability and probable cost of opening a communication between Albemarle Sound and the Ocean at Nag's Head, and in conformity to your directions to commence the survey in April or May, which I reported in my communication of the 27th February, as indispensable to an enquiry so difficult and important, I repaired on the 25th April to the town of Newbern, with a competent party of assistants.— On the 27th, I embarked in the Government Steamboat Newbern for Roanoke Island, where I arrived safely, after a stormy passage, on the 29th, and immediately commenced the survey and examinations, upon which, and the information I have been able to collect, I base the following report and conclusions:

The belt of land which now stretches across the mouth of Albemarle Sound, and separates it from the sea, was formerly broken by several inlets. The two best known, and which were long used for purposes of navigation, were the Roanoke and Currituck Inlets, through which the waters of the sound were discharged into the ocean. Roanoke Inlet was situated just south of a sand hill called Nag's Head, between Collinton and Roanoke Islands.

Deriving my information from the best authenticated history, and from living testimony, I feel fully justified in stating, that there was, prior to the opening of the channel through the marshes between Roanoke Island and the main, a depth of 10 feet of water in this inlet, which gradually shoaled, and finally filled up, about 30 years ago.

Let us enquire into the causes which have led to its closing up, and into the means of re-opening it.

It is well known, that the constant tendency of every harbour is to silt or fill up, more or less, according to situation; and as the quantity of fresh water, and the impurity of the land and sea waters, differ in one place from another. The sea is incessantly bringing in sand and other substances; the streams, soil and mud; and unless the current of the land waters is mainly confined to one channel, and is equal in velocity, volume and quantity, to the influx waters from the sea, they are invariably conveyed through marshes into the ocean, and the mouths of some of the longest rivers in the world, are in this way shut up—at least for all purposes of commerce.

Such has been the effect here: the waters of the Albemarle being divided among the several inlets, and the discharge through the marshes constantly increasing, the reflux tide became weaker and weaker, until its efforts, thus enfeebled, rendered it incapable of returning to the sea the sands brought in by the waves. Meeting with more and more resistance every day, (the bars of the inlets gradually accumulating,) its action, conjoined with the unceasing efforts of the wind and waves which sweep over the broad expanse of the exposed waters of Albemarle and Pamlico Sounds, has been spent on the soft yielding banks of the marshes.

Thus have these united forces gradually opened, and given vent to all the waters of Albemarle Sound; and the necessary consequence has been the filling up or swerving of all the inlets north of the marshes. That this has been the process there can be no doubt. It is apparent from the testimony of many persons of

great respectability, veracity and intelligence, from the nature and consistency of such of the marshes as are left, which are of a soft alluvial character with steep borders and irregular intermediate soundings, (in some places 50 feet deep,) and from the numerous channels around the tufts of the remaining scattered Islands. These indications shew a violent action of the waters, in passing to and fro through the marshes, striking irresistible and conclusive, at first sight, that they have been cut through recently, and are now wearing away. And all along above the marshes we have evidence of the continuing encroachment of the waters of the sound. Stumps are found as high up as Mann's point, both on the shores of Roanoke island and the main land, stretching out from a hundred yards to a mile into the sound, and, in some places, reaching nearly across it: and the recent abrasion of the banks is shewn by the bare roots of hundreds of trees, some recently fallen, others in a tottering condition.

In assigning the causes of the washing away of the marshes, and of the encroachments upon the banks of Croatan Sound, we must not overlook the effect of the tendency of the waters of Albemarle to unite with those of Pamlico, by reason of their being favored by a descent in that direction, which is apparent from the formation of the shoals at the mouths of the small creeks that empty into Pamlico Sound, being always found on the north side. And Mr. Price, who was remarkable for his accuracy, ascertained, by a survey made by him in 1818, that the water at the mouth of Smithwick's Creek which empties into the Roanoke a little below Williamston, was 5 feet 5 inches higher than the water of Pamlico at Washington: and by a line of levels I have caused to be run, from the mouth of Kendrick's Creek on Albemarle Sound, 30 miles below Williamston, to Woodstock, 8 miles above the mouth of Pungo River, which empties into Pamlico 30 miles below Washington, the fall is feet inches, from which I infer a descent from Albemarle to Pamlico, of feet inches, sufficient to create a current in Croatan Sound; a fact which a calm, while I was engaged in the survey, afforded me an opportunity of testing.

This current, however, opposes but a feeble resistance to the winds which entirely influence the tides in Croatan, Albemarle and Roanoke Sounds, control the currents and drive the waters to and fro between the marshes, swelling them sometimes to a height of 5 feet above ordinary water.

The foregoing, with such additional facts as I shall now ad-

duce, inclines me to the opinion that, at no very distant period back, there was no communication whatever, between Albemarle and Pamlico Sonads.

In the memory of the last generation, there was a mere gut between the marshes through the eastern channel, narrow enough to be crossed on a fence rail: and Sir Francis Drake, who, on his return from the conquest of St. Domingo, Carthagená, and St. Augustine, in 1586, visited the Colony planted by Sir Richard Grenville in 1585, says "the people he left behind, settled on Roanoke Island. I gave them a bark, of which they were in the greatest need imaginable, for though Sir Richard Grenville, when he left Capt. Amydas among them, had given him the title of Admiral, *he had not left them a vessel of any kind.*" Now, had there been a channel of any considerable extent between Roanoke and the main through the marshes, Sir Richard would certainly have left them *a vessel of some kind*, one that would have enabled them to cross it. The bark which Sir Francis Drake gave them, and of which he says they stood in so much need, was a vessel of considerable size, and in which a portion of the Colony was conveyed to England: it cannot, therefore, be understood, that the bark was wanted to enable them to cross to the main land, but to facilitate their explorations. And from the account which Governor Lane gives, of the relief afforded by Sir Francis Drake on this occasion, in a letter to Sir Richard Hacklevyt, I should infer that Sir Francis' fleet, which consisted of 23 sail, entered Roanoke Inlet.

Governor Lane says, "the colony was reduced to a desperate state, for the want of provisions, and the hostility of the Indians constantly lessening our numbers, and the famine grew so extreme among us, our means failing us in fish, that I was enforced to send Capt. Stafford with 20 men, to Croatan, my Lord Admiral's island, to serve two turns—one to feed himself and company, and the other to watch for shipping, and give warning, if any appeared."

"8th June, 1586. Came advertisement to me from Capt. Stafford, at my Lord Admiral's island, that he had discovered a great fleet of 23 sails. The 9th of said month he himself came to me, having travelled by land 20 miles. He brought me a letter from General Sir Francis Drake, with offers of supplies of vessels, men, ammunition, and supplies of all sorts. The 10th he arrived *in the road of our bad harbour, and came to anchor.* On the 11th, I visited him, and he renewed his offers of assistance. 19th June,

1586, the fleet having been previously injured by a storm, set sail with the whole colony for England."

I quote these facts, because they have been considered of sufficient importance to be called to the view of one of the Engineers who has preceded me in enquiring into the practicability of reopening Roanoke Inlet. And my researches into the early history of this portion of the coast, which have been very elaborate, enable me to satisfy doubts which have been entertained on the subject, stating that Sir Walter Raleigh never visited the coast of North America. Nearly all his writings relative to the countries discovered by expeditions fitted out by him, have been lost; as also his geography of these countries.

I have been favored with a perusal of Doctor Hariot's journal; which, it was thought, would throw much light on this important subject, and aid in the enquiries in which I am engaged; but it is wholly taken up in speaking of "merchantable commodities, commodities for food, roots, fruits, wild berries, beasts, fowl, fish, timber, and the manners and customs of the natives." He says not one word about the coast, islands or rivers. It is sufficiently clear, therefore, without extending our views further, that in some former age there was no channel through the marshes; that at high water only, when the marshes were overflowed, was there any communication between Albemarle and Pamlico Sounds; that Roanoke island, at the time of its discovery and settlement, in 1584-86, was cut off from the main land by a very inconsiderable channel through the marshes; and that the opening of this channel has been the cause of closing Roanoke Inlet, and every inlet north of it.

In this opinion every Engineer preceding me in these investigations, concurs. Not the slightest doubt or qualification is expressed by any of them—or, as far as I am able to learn, by any professional man—or by any one who has made a personal examination and proper enquiry.

Having arrived at the cause of the closing of Roanoke Inlet, in a manner entirely satisfactory to myself, and, I hope, to every unprejudiced mind, I might proceed at once with a plan for re-opening it; but the subject is one of much importance, and my object is, not only to satisfy my own mind, but to endeavour to meet the many objections which have been raised, and to convince others.

Because Gun and Hatteras, (former outlets of Pamlico Sound,) have closed, and New Inlet and Ocracoke have not improved, (as it is said,) by the accession of the waters of Albemarle Sound, it

is doubted by some, for whose opinions I entertain the highest respect, whether the opening of the channel at the marshes has had the effect ascribed to it, viz., that of closing Currituck and Roanoke Inlets.

Now, we cannot fix the precise period of the closing of Gun and Hatteras Inlets. The memory of man reaches not back to the period when they were open; but, as we cannot say when they were closed, we will admit they were open when the waters of Albemarle broke through the marshes. These waters, meeting with no resistance, would of course flow on south, until checked by the combined action of the waters of the Neuse and Pamlico Rivers. A glance at the map would designate this point, and fix it opposite Ocracoke, precisely where they do meet. The consequence of thus arresting the waters of the Neuse and Pamlico was, to turn a portion of them into Core Sound, which has had the effect greatly to improve Beaufort Inlet; but by far the greatest bulk of the waters have passed through Ocracoke, it being in the direct line of deflection, thereby weakening the reflux waters of Hatteras and Gun, so that they were no longer able to carry back the sand and earthy matters brought in by the sea, and thus causing those inlets to fill up.

The closing of these inlets, then, may be fairly ascribed to the opening of the channel through the marshes, and the consequent union of the waters of the Albemarle and Pamlico Sounds. New Inlet being further up the Sound, and more favorably situated in relation to the land, has not been so much affected by the arresting of the currents of the Neuse and Pamlico.

The reflux tides occasioned by the back waters of the south easterly winds opposed by the flow from Albemarle Sound, have maintained its depth, as is evident from the channel being on the south side. It has not improved, for the obvious reason that the bulkheads and shoals formed within the inlet, before the opening of the marshes, oppose more resistance to the passage of the water than its tendency to run in that direction, even with a greater descent, is capable of overcoming. "For the natural tendency of water is, to make its way in whatever direction it finds the greatest declivity; and if this happens to be in the shortest direction, it has no natural tendency to gain a longer course, as that would lessen the declivity. If, therefore, water is found pursuing a direction which is not the shortest, we may conclude, (and, on examination, we will always find,) that the longer course is owing to the intervention of some obstacle, so placed that the wa-

ters cannot have, at that particular point, a more speedy descent in a direction different from that which would form the shortest line of the whole descent; and, from causes of this kind, a stream may have a course meandering in every possible direction, as we frequently observe in nature."

The shoalness of the water opposite the mouth of New Inlet, is the obstacle preventing any great increase of outflow through it, and accounts satisfactorily for its not being improved by the opening of the marshes. And the application of the above principle, confirms my statement of a descent from Albemarle to Pamlico Sound.

We come now to another doubt which has been raised, as to the effect the diversion of the waters from Roanoke Inlet, through the marshes, has had in closing it, viz: because the accession of water thereby given to Pamlico Sound, has not caused an improvement of Ocracoke Inlet. From the best information I have been able to obtain, the depth of water on the bar has increased, notwithstanding the width of the inlet has become greater. But, as was to have been expected, as a natural consequence, the bulkheads and shoals on the inner side, and opposite the mouth of the inlet, have accumulated; for it is there that the Albemarle waters meet those of the Neuse and Pamlico. In the conflict which takes place, there is a kind of stagnation or diminished velocity; during which, the solid matter held in suspension is precipitated, so that after the union of these waters, they flow on comparatively pure to the sea, leaving behind deposits which form the bulkheads and shoals that obstruct the entrance into Ocracoke Inlet. For this reason, the accession of the waters of Albemarle Sound have proved injurious to the inlet.

Upon the withdrawal of these waters, as is proposed in the opening of Roanoke Inlet, when the waters of the Pamlico & Neuse shall be allowed to pursue their direct and undistributed course through Ocracoke, the deposits will not be so great, & a considerable improvement of the inlet may be expected, and will no doubt be the result. But a swash or middle ground, opposite the inlet, must always exist, owing to the great expanse of the waters; and the consequent independent and great rise of water at the bar, which is not felt in the sound, counteracts and destroys the scouring effects of the ebb tides. This evil can only be remedied by confining the waters and directing their energies into one channel. Considering and comparing the circumstances in relation to the two Inlets, even the small depth of water at Ocracoke is favora-

ble to the conclusion I shall presently draw of the successful result attending the project for re-opening the inlet at Nag's Head.

Shutting off the waters of the Albemarle Sound from the Pamlico Sound, will have the effect to improve New Inlet. The waters blown up the sound by the south winds, as before mentioned, meeting with resistance from the dams across Roanoke and Croatan Sounds, will be banked up and forced through the inlet (only 10 miles distant from the dams) with a velocity that will cut away a portion of the swash, and by taking advantage of low tides to stir up the sand, which can be done at a very moderate expense, either with the Hedge Hog or Harrow, the bulk heads may be entirely removed. The advantages to the commerce of the northern part of Pamlico Sound and the entire security the harbour would afford to vessels driven to leeward of Roanoke Inlet, would more than compensate for any expense that might be incurred in keeping it open and of a sufficient depth for the admittance of ordinary coasting vessels.

It has been suggested that Albemarle Sound will not afford a supply of water adequate to keep Roanoke Inlet free of obstructions; that sufficient allowance has not been made for evaporation; and that the quantity of water discharged by the rivers may have been over estimated.

To investigate these matters fully, would occupy more time and incur more expense than I consider them worthy of, unless indeed I entertained such doubts myself. I am willing to rely on the statements heretofore made relative to them; and upon such, together with my own estimate of the quantity flowing through Croatan Sound into Pamlico, when uninfluenced by winds, I have no hesitation in saying there will be a sufficient quantity for all purposes, and that too without taking into the estimate the quantity thrown in by the influx tides.

Another ground upon which the failure of the improvement has been predicted, is, that it has no cape to the windward to shelter it against the North East winds, and that a good harbour cannot exist on a straight coast.

There are many striking instances abroad against this theory; but I prefer drawing conclusions from a similarity of circumstances in our own country. A glance at the map will show, without discussing the matter, that it will not admit of general application.

At the mouth of Cape Fear River, New Inlet, which, next to Beaufort, is the best inlet on the coast of North Carolina, broke

out some sixty years ago to the *windward* of the cape, and Old Inlet, under its *lee*, is becoming more and more shoal every year.—Further South, we find Charleston, Savannah, Brunswick and Pensacola all good inlets, with good harbours, on a *straight sandy coast*.

In support of the theory, that Roanoke Inlet was not filled up by the opening of the channel through the marshes and the withdrawal thither of the waters of the Albemarle from the inlet, its filling up has been ascribed to the sinking of a vessel in the channel of the inlet, to the blowing in of the sand, and to the currents from the land not being as strong as those from the sea.

Fortunately my own observations, strengthened by the testimony of respectable persons, enable me also to refute these speculations. The hull of a vessel wrecked, 16 years ago, within half a mile of the site of the old inlet, still shews itself above the sand, although it is nearly submerged by every flood tide. And admitting a vessel was sunk, of which there is much doubt, it is hardly probable it would form a nucleus sufficient to cause the closing of the inlet. Such has not been the effect in the case of the steamer William Gibbon, sunk about 5 years ago in New Inlet, where the gallous frame is now to be seen above the water at high tide, and the inlet still as good as it has been within the memory of man.

As to the blowing in of the sands, there is no accumulation of sand near the site of the old inlet. The beach at Nag's Head is flat for the distance of a mile and a half, on each side of the former course of the inlet; indeed, so small is the rise, that at the distance of five miles, the lines of separation between the ocean and the sound are imperceptible; and a person unacquainted with the fact of the inlet being closed, would not suspect that any land intervened, and it so happens that this part of the beach is composed principally of gravel. I cannot, therefore, believe that the filling up of the inlet has been in any way facilitated by a wreck in the channel or by the blowing in of sand. The greater quantity of gravel which enters into the formation of the sea beach here than is found elsewhere, attests the power with which the land currents have resisted the sea.

That they would have been sufficiently strong to have forced this gravel back into the sea, had not the waters of Albemarle broke through the marshes, I cannot entertain a doubt. From my own observation of their force, (governed exclusively by the winds) and the violence with which they are driven on and along the inner edge of

the beach, across which, in strong westerly winds, they have been known sometimes to break into the ocean, satisfies me they were fully as strong as the currents from the sea, before the union of the waters of Albemarle with those of Pamlico.

A conviction of these imaginary difficulties in the way of opening Roanoke Inlet, has given origin to a project of an artificial harbour, based upon the theory of there being a necessity of a conformity and fixed proportion between the capacity of a harbour and its inlet; and under such circumstances, that the influx and reflux of the tides are adequate to free the harbour and preserve it from attestation. But it is a well established theory that tidal currents do not contribute so much to sand formations as has been supposed; and the effects which have been ascribed to them and to littoral currents, are now readily traced to the action of the *waves of the bottom*.*

It is true that some of the best harbours on our coast are mere arms of the sea; but it is also true that harbours thus formed, are either very good, or they are good for nothing. If the water is shoal, the bottom will be affected by the *waves of the bottom*, and will soon fill up. Sometimes the mouths will close, and cause the formation of salt ponds or lagunes. A harbour, therefore, under such circumstances, with no land water running into it, ought to be deep, its bottom ought to be below the influence of the waves of the bottom, and its entrance wide enough to admit a quantity of tide water to flow in and out twice a day, sufficient to keep the mud and other matter in agitation and from settling. A tendency to form a bar at the inlet, and to silting, can only be counteracted by contracting the entrance, and thereby increasing the strength of the ebb tide; or by damming up the waters at high tide; or by throwing in fresh water, to obtain an artificial scour. But, to widen an outlet, (which would be in accordance with the above theory,) with the view of deepening it, is a plan not yet tried, and is in direct opposition to the theory, or rather the axiom, that the depth of streams is in the inverse ratio of their widths. Surely this plan would not be practised in improving the entrance into rivers, and certainly would not succeed in restoring an entrance into a lagune. An artificial harbour, therefore, at Roanoke Inlet, should be very deep. Agreeably to my estimate of the force of the *bottom waves*, on this part of the coast, it should be at least 20 feet deep; and then it would be absolutely necessary to protect its entrance by stone walls, which, together with the excavation, and the expense of a canal through Roanoke Island, and the walls between the banks and the island, would swell the cost to many millions.

* *Du mouvement des ondes par.* A. R. Emy.

Having considered the causes of the closing of the inlet, and the objections to its practicability, I will now take into consideration the plan and effect of the works for re-opening it.

The universal plan of improving harbours is, to contract their outlets by the erection of piers, sometimes projecting far into the sea, to turn the silt and shingle brought coastwise across the inlet; to pen up the tide water in pools or basins, and let it out at the proper times—in some instances, through pipes or tunnels, to act as a scour in conjunction with the ebb tide; or by damming and canalling, obtain and turn through the harbour an additional quantity of water from the land, with the view of obtaining an artificial scour, in imitation of the effects of a fresh water river.

These plans are all derived from nature. The natural means by which an inlet is kept open is, the discharge of fresh water through it; which, opposing the influx tide, and adding to the power of the ebb, will always maintain a certain channel in proportion to the quantity of land water to be discharged. The tendency of nature is to contract the channel to such a size, that the natural power of the stream can just maintain it.

From these plain and obvious principles, the plans mentioned have been derived; they guided even the first attempts at the improvements of harbours; and, up to the present time, they govern, without a single exception worthy of notice, in the improvement of all the harbours on the coast of England and France. We but follow nature, therefore, and all past experience, in pursuing the plan I propose for re-opening the Inlet at Nag's Head, to wit, to cut off all communication between Albemarle and Pamlico Sounds by dams, and thus turn all the waters emptying into Albemarle Sound through Roanoke Inlet—the effect of which, I have no doubt, will be to preserve a channel at least fifteen feet deep.

Under circumstances not more favorable as to situation, winds or tides, and with not one fourth the volume of water, New Inlet, at the mouth of Cape Fear, maintains a depth of 13 feet. Over the bar at Ocracoke there is 16 feet, and at New Inlet, the northern outlet of the waters of Pamlico and Albemarle Sounds, there is a depth of 12 feet. The obstructions being on the inside over the swashes, we may therefore confidently depend upon at least 15 feet on the bar at Roanoke Inlet, and, as will presently appear, the situation is such that there will be no *inner* formations or obstructions.

The north east wind, aided by a southerly current, to the effects of which the failure of the work, from the formation of swashes, has been apprehended, will no doubt make a higher tide & bring in more

sand, than any other wind. It will blow the waters up the Sound, and during its prevalence, weaken somewhat the reflux tides. Immediately on its lulling, the back water will reflow to the ocean with all the weight and force of the pent up streams which empty into Albemarle Sound. Guided by the islands of Roanoke and Collinton, which open like a funnel to receive and convey them directly to the ocean, with increasing velocity, force and volume, they will return all that has been brought in by the sea. By their concentrated energies between Roanoke Island on the south, and Collinton and the main on the north, they will prevent the formation of shoals and swashes, such as obstruct the entrance into Ocracocke and New Inlets, where the ebb tide reaches the inlets from an immense expanse uncontrolled by banks—at least so far as any beneficial result can be derived from them, in increasing the velocity and scouring effects of the refluent waters.

As to the southerly current, which has been thought by some to exist; I have no hesitation in saying there is no such current. My own observations, but more particularly the opinions of a number of respectable, intelligent and experienced sea Captains, some of whom have been 30 years in the coasting trade, whom I have consulted, and on whom I can rely, gives me confidence in stating that the currents on soundings on this part of the coast are entirely influenced and governed by the winds.

In my opinion, there is no eddy current from the Gulf stream; nor is there any current setting southerly from the Chesapeake Bay. The waters of the bay, unless affected by the wind, make, of course, down the greatest declivity into deep water. There is, therefore, no constant tendency from this cause to the formation of a shoal north of Roanoke Inlet; nor indeed to any accumulation on this part of the coast. On the contrary, we have strong and striking evidences of encroachment. A few miles north of the Old Inlet, stumps are to be seen within the reach of tide water, and in many places, just at the site of the inlet; and wherever the marshes have become the substratum of the beach, and sustain the superincumbent sands which have been thrown up by the waves, every heavy blow disengages large portions of them, which are left by the retiring sea to become again, after having been submerged for years, an uncovered soil—inviting the labours of the husbandman.

Apprehensions have also been entertained, that the waters of the sound, dammed up as we propose, might break through Currituck Inlet, or open a new channel into Pamlico Sound. The shoal water in Currituck Sound, and there being no prevalent wind to press the

water in that direction, nor indeed towards Pamlico sound, and the height of the land between Albemarle and Pamlico Sounds, leave no just ground for these fears.

Should there be any appearance of a re-opening of the inlet north of Roanoke Inlet, a few piles driven in, projecting about 5 feet above the surface of the water in the sound, and interwoven with fascines, will effectually check it—though for the reasons I assign, and as I have before observed, there is no danger of a re-opening of Currituck Inlet.

There are, besides those already mentioned, other powerful natural causes constantly operating to free Roanoke Inlet of obstructions brought in by the North Easterly winds. The fall of the sound is considerable, as has been shewn, and the height of the water as nearly as can be ascertained 2 1-2 feet above the level of low-tide in the sea.

With this fall, there will be a strong outward pressure of the land waters which will greatly strengthen the ebb tide. These running to the sea at low water, particularly at the low ebb of the spring tides, when the fall will be the greatest and the sandy bottom most exposed to their action, they will act at a time when they can operate to the best advantage. And when the current thus created is strengthened by freshets, as will sometimes happen, both operating at low water, when the descent to the sea is the greatest, they will, in such cases, be capable of producing extraordinary effects—effects frequently strong enough to arrest in the beginning the march of the dreaded north easterly winds, prevent the tendency of the inlet to fill up or swerve, and prevent the introduction of sand or silt into the harbour. Another powerful auxiliary which will sometimes co-operate with the above forces, is the north west wind, which frequently succeeds, has as long a duration, and blows with as much violence as a north easter; and at the same time that it forces the waters down, and raises them in the lower part of the sound, it depresses the waters of the Atlantic, and in the event of an inlet, will urge the egress of the sound waters with an irresistible scouring impetus.

The effect, therefore, of turning the whole of the waters of Albemarle Sound through Roanoke Inlet, by means of the proposed dams, combined with all these favorable concurrent and co-operating causes and circumstances, will be to keep a channel of 15 feet of water constantly open, though the *bottom waves* may come in loaded with sand in any possible degree.

And lastly, though not on this account the least important consideration, is, that the same causes which have led to my conclu-

sions, formerly existed and produced precisely the same results, as are now anticipated in restoring the same order of things. Such a fact is sufficient in itself to allay all apprehension and dissipate all fears of full and complete success, unless we apprehend, what we have no reason to apprehend, and what never yet has occurred, viz: that similar causes will not produce similar effects; that with the same head of land water, nay, with an increase of four times the volume, concentrated upon one particular point, with the tides, the coasts, the sands, the currents and the winds the same, what was true in 1584, will not remain true in 1840.

I beg it to be understood that the effects I anticipate are not conjectural, they are inferred from the operations of similar causes (as stated) both on the coast of North Carolina, and on the sea coast of foreign countries. We know the inlet, when it shared the discharge of the waters of Albemarle Sound, with Currituck, Caffee and Pamlico, maintained a depth of 10 feet, and that too when exposed to the same strong gales and storms as we have now to contend with.— With all the causes which formerly existed, increased by all the waters of the Albemarle Sound, to doubt their effects to keep the inlet open, would be to doubt that the whole application of a force will not produce as great an effect as the application of a part of it.

We have now to take into consideration the location and the plan of the dams by which it is proposed to effect a communication between Albemarle Sound and the ocean at Nag's Head, by shutting off the waters of Albemarle from those of Pamlico, leading the former through a channel to be excavated near the site of the old Inlet from Roanoke Sound to the sea.

Across Croatan Sound, the most eligible site for a dam is from Pork Point, on Roanoke Island, to Fleetwood's Fishery, on the main land. The distance is 3 miles; the average depth of water is 8 1-4 feet, the greatest not exceeding 13 3-4 feet.

It is shoaler and better protected by the projecting points of Roanoke Island and the main land than any other line; and between these points and the embankment, there is an extensive cove, where the waters of the sound and sea, coming in conflict, will find a place of repose and deposit for the matters they will bring together, giving thereby strength to the work and purity to the reflux waters. Across Roanoke Sound, the selection for the situation of the dam may be referred to the causes above recited.

This embankment will cross Herring Island far enough to the south to embrace any changes that may possibly take place in the

direction of the inlet, and at a point where it will be best protected from the agitated water of the sound.

Between this Island and Roanoke Island the water is in one place $10\frac{1}{2}$ feet deep. The length of the water line is 6,935 feet, the average depth for 645 feet is $8\frac{1}{2}$ feet. For the remainder of the distance (6,290 feet) the greatest depth does not exceed 6 feet, and the average is 2 1-4 feet. The length of the embankment across the Island and the marshes on the margin of the sound, will be about one mile.

I propose the following plan of construction for the dam across Croatan Sound:

Cribs, 20 feet square, constructed of round logs not less than one foot in diameter, with a row of cross logs in the centre, and to be kept in position by five piles on each side. The cribs to be filled up with earth and capped with large flat stone 6 feet above ordinary water, which will place the top of the embankment beyond the reach of the greatest elevation of the waters in the sound. The earth of the embankment to have a slope of 2 1-2 feet to 1 on the north side, and 2 to 1 on the south side, and to be protected on each shore by slope walls of stone.

The dam across Roanoke Sound, in the channels between Roanoke and Herring Islands, to consist of cribs 18 by 20 feet, made of round logs not less than a foot in diameter, and sustained in position by five piles on each side.

Across the channels, between the Banks and Herring Island, cribs 15 by 20 feet, kept in line by a pile on each side driven in every 5 feet. The whole capped, as above, with stone, and sustained on the sides by embankments of earth, with a slope of 1 to 1, six feet high, and 10 feet thick at top.

On Herring and Roanoke Islands and the banks, the dam to be constructed of an embankment of earth 12 feet thick at the base, 4 feet at top, and 5 feet high. The slopes and top to be protected from abrasion and from washing by a covering of stone, of which no danger of sinking need be apprehended, as they will not be disturbed by the sea. We have evidence of this, in the stones now to be seen, when the water is calm and clear at Ballast point, 3 miles above the site of the dam.

The bottom, as I have ascertained by borings in Croatan and Roanoke Sounds, consists of a mixture of sand and soil, affording a foundation for the dams, and a good consistency in which to drive piles.

The timbers to be covered in earth; in which situation they will be entirely secure from the ravages of the worm.

It will be necessary to use a dredging machine, to remove the deposition which has taken place in the channel of Roanoke Sound, since the closing of the Inlet.

I propose leaving the width of the inlet to the regulation of the reflux waters, with a full conviction, from what has been before stated, that a revetment of stone will not be necessary, and that it will not exceed a width due to a depth of 15 feet; and also, after designating the site of the inlet, by excavating the sand for a width of a mile, and a depth corresponding to the level (nearly) of low tide, to make use of the current for its removal—taking advantage of the greatest elevation within and depression without.

ESTIMATE.

CROATAN SOUND.

| | |
|---|-------------|
| Earth in the cribs, | \$64,536 |
| Earth for slope banks, | 73,920 |
| Earth for embankments across the marshes, | 24,640 |
| Stone for capping the dam and abutments, | 108,875 |
| Logs for the cribs and piles, | 44,526 |
| Driving piles, | 18,840 |
| Building cribs and capping piles, | 18,940 |
| Laying stone on dams and abutments, | 18,750 |
| | <hr/> |
| | \$373,027 |
| | <hr/> <hr/> |

ROANOKE SOUND.

| | |
|--|-------------|
| Earth in the cribs, | \$16,900 |
| Earth for slope banks, | 15,660 |
| Earth for embankment across the marshes, | 10,300 |
| Stone for capping the dam and for abutments, | 68,324 |
| Logs for the cribs and piles, | 16,175 |
| Driving piles, | 7,140 |
| Building cribs and capping piles, | 7,650 |
| Laying stone on dams and slopes, | 14,500 |
| | <hr/> |
| | \$156,649 |
| | <hr/> <hr/> |

SUMMARY.

| | |
|---|-----------|
| Estimated cost of the dam across Croatan Sound, | \$373,027 |
| Estimated cost of the dam across Roanoke Sound, | 156,649 |

| | |
|--|------------------|
| Excavating Inlet, | 188,000 |
| Dredging the channel, | 32,540 |
| For contingencies, (which, for a work of this kind, great allowance should be made,) | 187,554 |
| | <hr/> |
| | <u>\$937,770</u> |

This, in my opinion, is but a small amount, compared with the advantages of the improvement. Indeed, the great importance of the inlet to the nation at large, to the State of North Carolina, and on the score of humanity, makes it difficult to name a sum that ought to outweigh these considerations. To bring the necessity and importance of this project more fully into view, I beg leave to avail myself of the following extracts from the report of a select committee, to which this subject was referred in 1830:

“The place where the contemplated inlet is proposed to be made, is at the southeastern extremity of Albemarle Sound, a body of water nearly sixty miles in length, and averaging from ten to twenty in width. The Sound is of a medium depth of water, from twenty to twenty-five feet; and receives into its bosom the tributary streams of Currituck Sound, North River, Pasquotank, Perquimons, Chowan, Roanoke and Alligator Rivers. These rivers run through one of the most fertile sections of our country, and form the natural outlet of twenty-six counties in North Carolina, and twenty-two in Virginia. In consequence of the closing of Roanoke Inlet, the valuable productions of these numerous counties are compelled to seek a market—part in wagons across the country to Petersburg, Virginia—part through the Dismal Swamp Canal to Norfolk—and part over Ocracoke bar, to the ocean, through one of the most difficult and dangerous navigations in the world.

“The Committee are fully impressed with the vital necessity of this inlet to a large and populous section of the country, and of its great national importance to the trade and commerce of this Union.

“The area of the country that would be immediately benefitted by it, contains seventeen thousand square miles, and a population of nearly half a million. The only outlet of any importance from Albemarle now, is over Ocracoke bar—a distance of sixty miles from where Roanoke Inlet formerly was; so that a vessel going to the north, has to perform a voyage of 120 miles, to get upon the same parallel; to pass through a difficult and narrow channel; and to encounter the dangers of Cape Hatteras; where, perhaps, there are annually more shipwrecks than upon any point of the coast of Ameri-

ea. Taking the amount of the shipping employed in the Albemarle at what it has been estimated, viz. 100,000 tons, we may arrive at some knowledge of the losses annually sustained at Ocracoke bar, and the intermediate navigation. The charge on vessels for lighterage and detention at the Swash, averages one dollar per ton, amounting to \$100,000; the additional rate of insurance because of the risk, averages 3-4 of one per cent. and amounts, on the exports and imports, taking the same at \$3,000,000, to \$45,000; and on the vessels, to \$30,000 per annum. This annual tax of \$175,000 upon the navigation of this section of the country, independently of the other evils, cannot but enhance the rate of freight and the cost of conveyance to market. Which suggestion is proved by the fact, that the price of freight from Norfolk and Wilmington, (the latter but one hundred and twenty miles south of Ocracoke,) is from 20 to 25 per cent. less than from the towns of Albemarle. Estimating this enhanced freight as a tax upon produce of 6 per cent. only, we can fairly charge to the defects of this navigation, an annual positive loss to the country of \$355,000. From the causes heretofore alluded to, this estimate is rather under than over the fact. When, therefore, we take into consideration that the farmer ultimately pays all these charges in the diminished value of his products, we easily account for the fact, that the same articles of produce on the waters of the Albemarle are from 15 to 30 per cent. of less value than upon the Chesapeake. In estimating the utility of this undertaking, it is proper to take into consideration, not only the loss now actually sustained, but also what would be the probable advantages of its accomplishment. The country bordering on Albemarle Sound, from its general fertility, and its numerous navigable streams, affords as great facilities for an extensive and profitable trade as any section of our country. It must be evident to all, that from the operation of various causes, the coasting trade, to which this section is particularly adapted, must for the future be the great nursery of seamen, and the most important branch of our commerce.

“North Carolina has more shipping employed in the coasting trade than any State south of Maryland, except Virginia; and when we reflect that the commerce of Albemarle alone employs five times as much shipping as belongs to the whole State, it is correct to suppose, that were the resources of the country developed, the quantity would be greatly increased.

“The whole enrolled and licensed tonnage of the Union amounts to 881,000 tons, nearly one-eighth of which finds employment in the Northern Counties of North Carolina.”

“It is impossible to place a limit to the advantages which might result from the clearing out of this Inlet. It would be the opening of a new theatre to a branch of the navigation of our country, as extensive as it would be nationally important.”

The opening of Roanoke Inlet is a subject which has long and anxiously engaged the attention of the authorities of the State. It has been frequently brought before Congress, and I believe no work presents stronger claims to the patronage of the General Government.

I am happy to have it in my power to corroborate the statistical statements of the committee. The register of Capt. Pew, keeper of the Roanoke Marshes Light House, numbers 1450 vessels passing and repassing during the year ending 31st December, 1839, making the shipping about 100,000 tons; the amount assumed by the committee, which, although remaining the same, shews for that reason, a considerable increase, when we consider the great tonnage withdrawn from this trade by the facilities afforded by the Petersburg and Portsmouth Rail Roads—the former of which went into operation in 1833, the latter in 1836.

The amount of property and lives lost on the coast immediately adjoining the inlet, for a distance of 15 miles on each side of it present a frightful list, and a strong appeal to the protection and humanity of the government.

Between the year 1824, and the present period, there have been (as nearly as I could ascertain) 112 vessels wrecked; which, averaging 50 tons each, would make, together with the cargoes, a loss not much short of \$350,000; and with these vessels 224 souls have found a watery grave.

This list, fearful as it is, would be greatly swelled if we had the means of adding to it the number of vessels wrecked on the remainder of the adjacent coast, and off Cape Hatteras, in consequence of being compelled, by the closing of Roanoke Inlet, to encounter the hazard of passing this dangerous promontory.

Throwing out of view the advantages to the commerce of the country, as a harbour of refuge from storms in time of peace, the opening of this inlet is an object every way worthy of the nation. And, in time of war, there is no point on the whole coast where a harbour would be more useful, and where one is so much needed—not only for the refuge of coasters from the enemy, but, in bad weather, for privateers and the smaller sized armed vessels acting offensively.

In forming my opinion, and in framing this report, I have consulted some of the ablest Engineers in England, and a variety of the best authorities extant, (with whose views I have made free use, when

in accordance with my own,) and have availed myself of the reports of the Engineers preceding me in enquiries into the practicability of opening the inlet.

A plain statement of facts, with the obvious deductions therefrom, has been my aim, discarding all refined theories and abstract speculations, as unbecoming, and, indeed, derogating from a subject involving so many important, grave and interesting considerations.

Accompanying this is a map of the survey I have recently made, and also some charts drawn by the commanders of the expeditions fitted out by Sir Walter Raleigh, which I obtained from the Admiralty Office, and the Library attached to the Museum in London; which will be found curious, interesting, and somewhat useful; and also some notes having a bearing upon this subject, from the best authenticated history of the discovery of this portion of the coast, and the various colonies planted on Roanoke Island.

I am, gentlemen,

Very respectfully,

Your obt. serv't.,

WALTER GWYNN, *Civil Engineer*.

No. 9.

LEGISLATURE OF NORTH CAROLINA.

HOUSE OF COMMONS, DECEMBER 1840.

REPORT

OF

THE ADJUTANT GENERAL

OF THE

STATE OF NORTH CAROLINA.

1840.

RALEIGH:

THOS. J. LEMAY, PRINTER FOR THE LEGISLATURE

1840.

ADJUTANT GENERAL'S OFFICE, }
December 1st, 1840. }

To the Honorable the General Assembly of North Carolina :

I have the honor to transmit to your body, sundry documents marked A, B, C, and D, which contain all the information in regard to the Militia, required by law to be communicated from this Office.

Owing to the delinquencies of the officers in not forwarding their returns, I have been compelled to insert a part of the late Adjutant General's Report. By looking to the document marked D, you will find the delinquents here referred to.

ROBERT W. HAYWOOD,

Adjutant General M. N. C.

A.

Abstract showing the number of Militia and of their Arms, composing each Regiment, Brigade, and Division; and also the number and description of Arms belonging to the State in each Regiment and County.

| No Division. | No Brigade. | No Regiment. | Counties. | Infantry | Riflemen | ARMS. | | | PUBLIC ARMS. | | | No Companies of Infantry | No Companies of Riflemen |
|--------------|-------------|--------------|------------|----------|----------|---------|--------|-----------|--------------|--------|-------------------|--------------------------|--------------------------|
| | | | | | | Muskets | Rifles | Shot Guns | Muskets | Rifles | Non com. Officers | | |
| | | 1 | Currituck | 682 | | 170 | | 342 | | | | 11 | |
| | | 2 | Camden | 669 | | 28 | | 522 | | | | 8 | |
| | | 3 | Pasquotank | 598 | | | | 571 | | | | 6 | |
| | | 4 | Perquimons | 476 | | | | | | | | 6 | |
| | 1 | | | 2425 | | 198 | | 1435 | | | | 31 | |
| | | 9 | Bertie | 198 | | | | 157 | | | | 5 | |
| | | 5 | Chowan | 379 | | 102 | | 205 | 102 | | | 4 | |
| | | 6 | Gates | 561 | | | | 404 | | | | 7 | |
| | | 10 | Hertford | 598 | | | | 571 | | | | 6 | |
| | 18 | | | 1736 | | 102 | | 1337 | 102 | | | 22 | |
| 1 | | | | 4161 | | 300 | | 2772 | 102 | | | 53 | |
| | | 41 | Bladen | 616 | | 41 | 41 | 401 | | | | 8 | |
| | | 44 | Moore | 741 | | 30 | 295 | 128 | 60 | | | 9 | |
| | | 33 | Cumberland | 555 | | 120 | | 250 | | | | 5 | |
| | | 34 | " | 446 | | 14 | 85 | 121 | | | | 7 | |
| | | 85 | Columbus | 428 | | 46 | 41 | 278 | | | | 11 | |
| | | 32 | Sampson | 889 | | 25 | 37 | 663 | | | | 40 | |
| | 4 | | | 3675 | | 276 | 499 | 1841 | 60 | | | 9 | |
| | | 53 | Anson | 620 | | 13 | 134 | 342 | | | | 9 | |
| | | 54 | " | 610 | | 50 | 164 | 165 | | | | 9 | |
| | | 42 | Robeson | 577 | | 74 | 36 | 321 | 60 | | | 8 | |
| | | 43 | " | 281 | | 94 | 141 | | | | | 4 | |
| | | 51 | Richmond | 498 | 120 | 23 | 65 | 191 | | | | 5 | 1 |
| | | 93 | " | 245 | | 140 | 49 | | | | | 3 | |
| | 14 | | | 2931 | 120 | 394 | 589 | 1019 | 60 | | | 28 | 1 |
| 2 | | | | 6606 | 120 | 670 | 1088 | 2860 | 120 | | | 78 | 1 |
| | | 45 | Chatham | 522 | | 7 | 42 | 212 | | | | 7 | |
| | | 94 | " | 796 | | 25 | 192 | 250 | | 65 | | 9 | 2 |
| | | 47 | Orange | 711 | | 24 | 65 | 409 | | | | 8 | |
| | | 48 | " | 724 | | 44 | 175 | 337 | | | | 9 | 1 |
| | | 49 | " | 680 | | 15 | 195 | 190 | | | | 8 | 1 |
| | | 55 | Randolph | 775 | | 82 | 278 | 136 | | | | 9 | |
| | | 56 | " | 479 | | 138 | 300 | 12 | | | | 4 | |
| | 6 | | | 4687 | | 335 | 1241 | 1546 | | 65 | | 54 | 4 |
| | | 59 | Caswell | 159 | | 15 | 90 | 591 | 165 | | | 13 | |
| | | 50 | Person | 533 | | 3 | 59 | 236 | 64 | 59 | | 8 | |
| | | 37 | Granville | 613 | | | 15 | 402 | 132 | | | 9 | |
| | | 38 | " | 813 | | 38 | | 567 | | | | 10 | |
| | 16 | | | 2118 | | 56 | 164 | 1796 | 361 | 59 | | 40 | |
| 3 | | | | 6805 | | 391 | 1405 | 2342 | 361 | 124 | | 94 | 4 |

A.—CONTINUED.

| No Division. | No Brigade. | No Regiment. | Counties. | Infantry | Riflemen | ARMS. | | | PUBLIC ARMS. | | | No Companies of Riflemen | No Companies of Infantry |
|--------------|-------------|--------------|-------------|----------|----------|---------|--------|-----------|--------------|--------|------------------|--------------------------|--------------------------|
| | | | | | | Muskets | Rifles | Shot Guns | Muskets | Rifles | Non com Officers | | |
| | | 63 | Davie | 811 | | 5 | 260 | 197 | | 105 | | 8 | |
| | | 64 | Rowan | 1086 | 45 | 52 | 620 | 331 | | 105 | | 12 | |
| | | 87 | Davidson | 788 | | 38 | 332 | 93 | | | | 11 | |
| | | 88 | " | 828 | 165 | | 372 | 139 | 69 | 105 | | 8 | 3 |
| | 7 | | | 3513 | 210 | 95 | 1604 | 760 | 69 | 315 | | 39 | 3 |
| | | 70 | Lincoln | 1581 | | 79 | 721 | 122 | 38 | | | 16 | 1 |
| | | 71 | " | 1197 | | 38 | 408 | 406 | 57 | | | 10 | 1 |
| | | 76 | Rutherford | 587 | | 8 | 228 | 49 | | | | 6 | |
| | | 77 | " | 941 | | | 320 | 98 | | | | 6 | |
| | | 78 | " | 513 | | 48 | 202 | 80 | 130 | 80 | | 7 | |
| | 10 | | | 4819 | | 173 | 1879 | 755 | 225 | 80 | | 45 | 2 |
| | | 68 | Mecklenburg | 783 | | | 400 | 300 | | 100 | 1 | 8 | |
| | | 69 | " | 842 | | 70 | 207 | 345 | | | | 9 | |
| | | 62 | Cabarrus | 746 | | 28 | 346 | 249 | | | | 11 | |
| | | 60 | Montgomery | 531 | | 150 | 275 | | | | | 7 | |
| | | 61 | " | 623 | | 61 | 305 | 166 | | | | 8 | |
| | | | Volunteers | 271 | | 96 | 109 | 31 | 86 | 105 | | 2 | 1 |
| | 11 | | | 3796 | | 605 | 1642 | 1091 | 86 | 205 | 1 | 35 | 1 |
| | 4 | | | 12128 | 210 | 873 | 5125 | 2606 | 380 | 600 | 1 | 119 | 6 |
| | | 82 | Buncombe | 868 | | 32 | 352 | 180 | 65 | | | 11 | |
| | | 83 | " | 721 | | 76 | 411 | 5 | 20 | | | 10 | |
| | | 84 | Yancey | 564 | | | | | | | | 7 | |
| | | 86 | Haywood | 625 | | | 225 | 72 | 54 | 100 | | 8 | 1 |
| | | 90 | Macon | 977 | | 25 | 346 | 27 | | | | 12 | |
| | 19 | | | 3755 | | 133 | 1334 | 284 | 139 | 100 | | 48 | 1 |
| | | 79 | Burke, | 778 | | 40 | 285 | 91 | | 105 | | 7 | |
| | | 80 | " | 493 | | 19 | 235 | 24 | | | | 5 | |
| | | 81 | " | 918 | | 53 | 227 | 164 | | | | 11 | |
| | | 92 | Yancey | 275 | | 7 | 204 | | 7 | 207 | | 5 | |
| | | 52 | Iredell | 887 | | 25 | 397 | 250 | 65 | | | 11 | |
| | | 89 | " | 550 | 80 | 12 | 197 | 115 | | | | 9 | 1 |
| | 15 | | | 3901 | 80 | 156 | 1545 | 644 | 72 | 312 | | 53 | 1 |
| | 5 | | | 7656 | 280 | 289 | 2879 | 928 | 211 | 412 | | 101 | 2 |
| | | 30 | New Hanover | 641 | | 84 | 17 | 477 | 89 | | 12 | 12 | |
| | | 39 | Brunswick | 464 | | 48 | 68 | 284 | 43 | | 2 | 6 | |
| | | 24 | Onslow | 614 | | 13 | 5 | 466 | | | | 10 | |
| | | 31 | Duplin | 789 | | 30 | 19 | 630 | | | | 12 | |
| | 3 | | | 2508 | | 175 | 109 | 1857 | 132 | | 14 | 40 | |
| | | 25 | Jones | 224 | | 2 | | 157 | 167 | | | 6 | |
| | | 26 | Lenoir | 498 | | 2 | 10 | 325 | 75 | | | 7 | |
| | | 40 | Wayne | 837 | | | 38 | 520 | | | | 10 | |
| | | 28 | Johnston | 945 | | 9 | 101 | 448 | 43 | | | 11 | |
| | 12 | | | 2504 | | 13 | 149 | 1450 | 288 | | | 34 | |
| | 6 | | | 5012 | | 188 | 258 | 3307 | 317 | | 14 | 74 | |

A.—CONTINUED.

| No Division | No Brigade | No Regiment | Counties. | Infantry | Riflemen | ARMS. | | | PUBLIC ARMS. | | | No Companies of Infantry | No Companies of Riflemen |
|-------------|------------|-------------|-------------|----------|----------|---------|--------|-----------|--------------|--------|------------------|--------------------------|--------------------------|
| | | | | | | Muskets | Rifles | Sh't Guns | Muskets | Rifles | Non com Officers | | |
| | | 20 | Edgecombe | 614 | | 2 | 21 | 391 | 50 | | | 8 | |
| | | 21 | " | 465 | | 50 | 10 | 330 | 50 | | 10 | 9 | |
| | | 13 | Martin | 570 | | | | 402 | 21 | | | 9 | |
| | | 14 | Halifax | 499 | | | | 256 | | | | 6 | |
| | | 15 | " | 231 | | | | 210 | 102 | | | 5 | |
| | | 16 | Northampton | 513 | | | | 427 | | | | 8 | |
| | 5 | | | 2892 | | 52 | 31 | 2016 | 223 | | 10 | 45 | |
| | | 22 | Nash | 789 | | 14 | 18 | 444 | 80 | | 48 | 9 | |
| | | 23 | Warren | 550 | | 2 | 5 | 387 | 102 | | | 7 | |
| | | 35 | Wake | 711 | | 95 | 26 | 508 | 82 | | | 10 | |
| | | 36 | " | 883 | | 24 | 24 | 528 | 44 | | | 12 | |
| | | 29 | Franklin | 786 | | 8 | 17 | 553 | 60 | | | 10 | |
| | 17 | | | 3719 | | 143 | 90 | 2420 | 368 | | 48 | 48 | |
| | 7 | | | 6611 | | 195 | 121 | 4436 | 591 | | 58 | 93 | |
| | | 17 | Carteret | 486 | | 157 | | 278 | | | | 4 | |
| | | 18 | Craven | 992 | | 60 | 5 | 470 | | | | 14 | |
| | | 19 | Pitt | 861 | | 5 | 3 | 691 | 102 | | | 12 | |
| | | 27 | Greene | 494 | | 7 | 4 | 316 | | | | 7 | |
| | 2 | | | 2833 | | 229 | 12 | 1755 | 102 | | | 37 | |
| | | 8 | Washington | 753 | | 175 | 5 | 511 | | | | 14 | |
| | | 11 | Beaufort | 619 | | 40 | 1 | 252 | 102 | | | 7 | |
| | | 12 | Hyde | 727 | | 24 | | 561 | 102 | | | 11 | |
| | | 7 | Tyrrell | 598 | | 190 | | 300 | | | | 7 | |
| | 13 | | | 2697 | | 329 | 6 | 1624 | 204 | | | 39 | |
| | 8 | | | 5530 | | 558 | 18 | 3379 | 306 | | | 76 | |
| | | 57 | Guilford | 869 | | 12 | 207 | 229 | | | | 8 | |
| | | 58 | " | 819 | | 27 | 274 | 192 | | | | 9 | |
| | | 67 | Rockingham | 626 | | | 93 | 314 | | | | 10 | |
| | | 91 | " | 663 | | 11 | 142 | 303 | | | | 10 | |
| | | 65 | Stokes | 627 | | 20 | 209 | 118 | | | 2 | 11 | |
| | | 66 | " | 857 | | | 439 | 272 | | | | 9 | |
| | | 3 | Volunteers | 398 | | 12 | 115 | 55 | 120 | | | 6 | |
| | 8 | | | 4859 | | 82 | 1479 | 1483 | 120 | | | 63 | |
| | | 46 | Ashe | 1012 | 168 | 10 | 450 | 20 | 105 | | | 11 | 2 |
| | | 72 | Surry | 782 | | 106 | 290 | 142 | 106 | 290 | | 9 | |
| | | 73 | " | 741 | 80 | | 273 | 140 | | 105 | | 9 | |
| | | 74 | Wilkes | 657 | | 80 | 370 | | | | 10 | 2 | |
| | | 75 | " | 469 | 121 | 16 | 391 | 21 | | | | 7 | 2 |
| | 9 | | | 3661 | 369 | 292 | 1874 | 323 | 106 | 500 | 10 | 38 | 4 |
| 9 | | | | 8520 | 369 | 374 | 3353 | 1806 | 226 | 500 | 12 | 101 | 4 |

B.
CAVALRY.

| No. of Companies. | No. Brigade to which attached | Commis'd Officers. | Non Com. Officers. | Privates. | Total non com. officers and privates. | Aggregate. | Public Arms. | |
|-------------------|-------------------------------|--------------------|--------------------|-----------|---------------------------------------|------------|---------------------|---------|
| | | | | | | | Horsemen's pistols. | Sabres. |
| 3 | 8 | 15 | 22 | 120 | 142 | 136 | 126 | 93 |
| 7 | 11 | 31 | 7 | 132 | 155 | 186 | 302 | 158 |
| 2 | 16 | 7 | 1 | 72 | 73 | 98 | | |
| 2 | 14 | 7 | 27 | 81 | 108 | 115 | 100 | 50 |
| 14 | 49 | 60 | 57 | 405 | 478 | 535 | 528 | 206 |

| | | | | | |
|----------|---|---|---|---|--------|
| Infantry | - | - | - | - | 63,629 |
| Riflemen | - | - | - | - | 779 |
| Cavalry | - | - | - | - | 528 |
| Total | - | - | - | - | 64,336 |

ROBERT W. HAYWOOD, *Adj. Gen.*

C.
ROSTER OF GENERAL OFFICERS.

| No. of Division and Brigade. | | | | | |
|---------------------------------|----|---------------------|----|---------|------|
| | 1 | Duncan M'Donald | 27 | Dec'er | 1820 |
| | 2 | James M' Kay | 27 | Dec'er | 1832 |
| | 8 | John J. Pasteur | 15 | " | 1828 |
| | 7 | M. T. Hawkins | 15 | " | 1828 |
| | 4 | B. M. Edney | " | " | " |
| | 5 | Vacant | | | |
| | 9 | Joseph Winston | 5 | Sept'er | 1837 |
| | 6 | James B. Whitfield | " | " | " |
| | 3 | Thomas W. Graves | " | " | " |
| Brigade. | 14 | Alfred Dockery | 10 | Dec'er | 1827 |
| | 5 | Louis D. Wilson | 27 | " | 1827 |
| | 4 | W. D. Dowd | " | " | " |
| | 11 | W. C. Means | " | " | " |
| | 7 | James Cook | 16 | Feb'ry | 1833 |
| | 9 | Wm. Horton | 16 | " | " |
| | 10 | Edward Bryan | 20 | " | " |
| | 13 | H. G. Spruill | 26 | " | " |
| | 18 | John Pipkins | " | " | " |
| | 19 | B. S. Britton | " | " | " |
| | 2 | Wyatt Moye | 3 | Jan'ry | 1833 |
| | 16 | W. S. McClanahan | " | " | " |
| | 6 | Benj. Trolinger | " | " | " |
| | 1 | J. N. M'Pherson | " | " | " |
| | 12 | George W. Whitfield | 16 | Jan'ry | 1836 |
| | 3 | Alexander M'Rae | " | " | " |
| | 8 | Sam'l A. Dolton | " | " | " |
| | 17 | Daniel S. Crenshaw | " | " | " |
| | 15 | | | | |

D. DELINQUENCIES.

In Reviews—

| | | |
|----------------|--------------------|--------------|
| Major Generals | B. M. Edney | 4th Division |
| | M. T. Hawkins | 7th “ |
| Brig. Generals | Louis D. Wilson | 5th Brigade |
| | Daniel S. Crenshaw | 17th “ |
| | Edward Bryan | 10th “ |

In Returns to Adjutant General—

| | | |
|----------------|-------------------|--------------|
| Major Generals | Duncan M'Donald | 1st Division |
| | James M'Kay | 2nd “ |
| | John J. Pasteur | 8th “ |
| | Joseph Winston | 9th “ |
| Brig. Generals | James Cook | 7th Brigade |
| | Edward Bryan | 10th “ |
| | H. G. Spruill | 13th “ |
| | B. S. Britton | 19th “ |
| | Wyatt Moye | 2nd “ |
| | John M. M'Pherson | 1st “ |

Colonels of the 3d Regiment of Pasquotank.

| | |
|------|-------------|
| 9th | Bertie. |
| 10th | Hertford. |
| 33d | Cumberland. |
| 32d | Sampson. |
| 42d | Robeson. |
| 47th | Orange. |
| 64th | Rowan. |
| 77th | Rutherford. |
| 62d | Cabarrus. |
| 60th | Montgomery. |
| 61st | “ |
| 81st | Burke. |
| 92d | Yancy. |
| 52d | Iredell. |
| 40th | Wayne. |
| 28th | Johnston. |
| 17th | Carteret. |
| 18th | Craven, |
| 72d | Surry. |

In Returns to Major General—

| | |
|--------------------|---------------|
| Daniel S. Crenshaw | 17th Brigade. |
|--------------------|---------------|

In Returns to Brig. General—

| | | |
|------------|--------------|-------------|
| Colonel of | 72d Regiment | Surry. |
| | 24th | Onslow |
| | 42d | Robeson. |
| | 60th | Montgomery. |
| Cavalry— | 16th | Brigade. |
| | 14th | do. |

No. 10.

LEGISLATURE OF NORTH CAROLINA.

RALEIGH, DECEMBER 1840.

STATEMENT

OF THE

GENERAL ACCOUNTS OF THE BANKS.

TREASURY OFFICE,

December 7th, 1840.

Honorable ROBERT GILLIAM,

Speaker of the House of Commons.

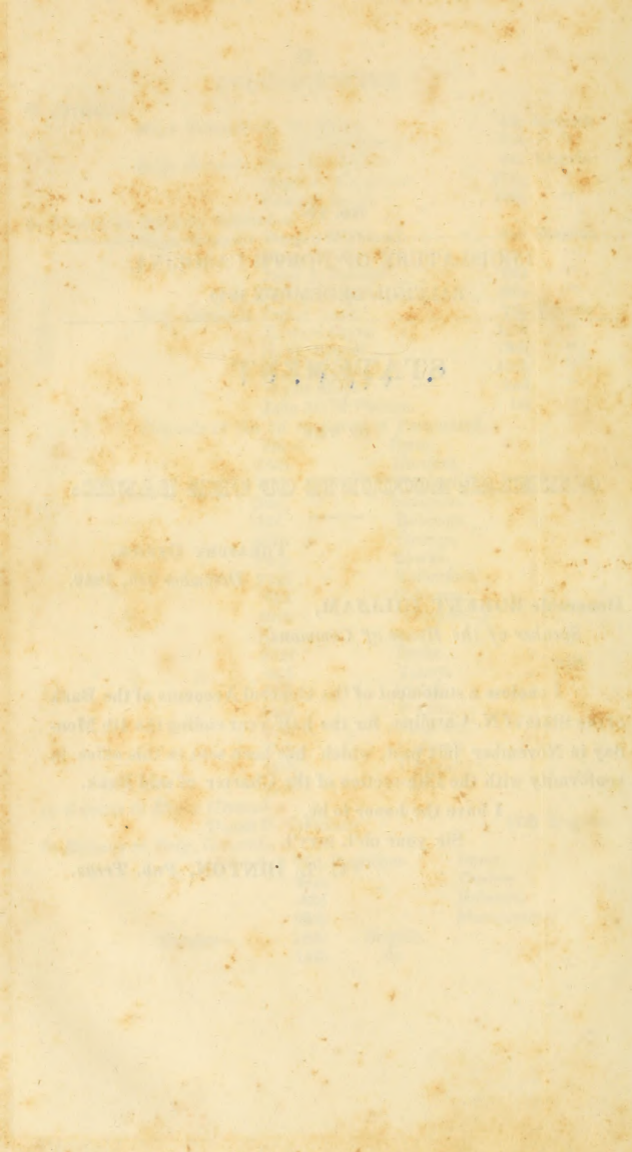
Sir:

I enclose a statement of the General Accounts of the Bank of the State of N. Carolina, for the half year ending the 4th Monday in November just past, which has been sent to this office in conformity with the 13th section of the Charter of said Bank.


I have the honor to be,

Sir your ob't. serv't.

C. L. HINTON, *Pub. Treas.*



STATE OF THE BANK OF THE STATE OF NORTH CAROLINA, 21st NOVEMBER, 1840.

| | | | | | | | |
|--|--|--|-----------------------------|---|--|---|---|
|  Bills and Notes discounted, Suspended Debt, | \$1,576,355 78 359,852 09 | | | Capital Stock, General Profit and Loss, Contingent Fund, | | 225,865 15 9,717 18 | 1,500,000 00 |
| Bills of Exchange, | | \$1,936,207 87 394,772 82 | | | | | 235,582 33 21 25 |
| Real Estate, Pension Office, Revolutionary Pensioners, Pensioners under act 1836, | | | * 2,330,980 69 38,782 09 | Treasurer U. States for P. O. Dep't. | | | |
| | | 302 57 3,297 91 3,840 87 | | PENSION OFFICE. Pensioners under act 1832, do 1828, do 1838, | | 3,810 64 18 57 2,459 54 10,357 90 | |
| DUE FROM BANKS. | | | 7,441 35 | Invalid Pensioners, | | | 16,646 65 50,570 71 |
| Merchants' Bank, Boston, Do " New York, Fulton " do | 30,983 84 1,450 12 | 2,012 90 | | Public Treasurer of North Carolina, DUE TO BANKS. | | | |
| Bank U. States, Philadelphia, Farmers' & Mech's. do | 10,028 69 53,793 09 | 32,433 96 | | O. J. Cammann, Cas. New York, Bank of the State, do Mech's. Bank, do North River do do | 1,607 67 379 61 1,532 22 1,097 93 | | |
| Merchants' Bank, Baltimore, Farmers' " Norfolk, Bank of Virginia do Exchange Bank do Bank of Virginia, Petersburg, | 4,689 47 1,209 19 6,285 13 1,054 04 | 63,821 78 9,598 25 | | Farmers' Bank, Petersburg, Agency Bank U. States, Fayetteville, Merchants' Bank, Cheraw, Bank of Augusta, Georgia, Bank Cape Fear, Washington, Do do Fayetteville, | | 4,617 43 3,398 64 1,636 04 591 00 3 00 1,868 94 29,031 87 | |
| Planters' & Mch's. B'k. Charleston, Bank Cape Fear, Wilmington, Do. Raleigh, | 25,410 16 6,036 07 | 13,237 83 302 16 | | NOTES IN CIRCULATION. Issued by Principal Bank, Branch Bank, Newbern, Do do Tarboro', Do do Fayetteville, Do do Wilmington, Do do Elizabeth City, | | 30,900 81 194,379 00 | 41,146 92 |
| NOTES OF OTHER BANKS. | | | 152,853 11 | Deposites by individuals, Dividends unpaid, Bills and Checks in <i>transitu</i> , | 146,510 00 125,551 00 186,820 00 230,442 00 112,086 00 | | 995,788 00 171,257 43 2,355 25 92 38 |
| U. States Bank Notes, Virginia " S. Carolina, " N. Carolina, " | | 2,200 00 23,895 00 1,624 00 40,340 00 | | | | 801,409 00 | |
| SPECIE. | | | 68,059 00 | | | | |
| Silver, Gold Coin, " Bullion, Ctf. Branch Mint, Charlotte, | 107,262 15 2,869 00 8,628 02 | 292,377 01 | | | | | |
| Cents, | | 118,759 17 131 60 | | | | | |
| Vouchers unadjusted, | | | 411,267 78 4,076 90 | | | | |
| | | | \$3,013,460 92 | | | | \$3,013,460 92 |
| | | | 85,480 14 42,300 66 | | | | |
| | | | \$127,780 80 | | | | |

*Of this sum \$2,330,980 69, there is due by Directors,
Do. Stockholders not Directors,

C. DEWEY, Cash'r.

BANK OF CAPE FEAR,

3rd December, 1840.

To the Honorable the General Assembly of the State of No. Ca.
Gentlemen:

In pursuance of the provisions of the Act incorporating the Bank of Cape Fear, I have the honor to lay before your honorable body a statement of the condition of said Bank up to 30th November.

Mr. Wingate, our Cashier, will give every necessary explanation.

Very respectfully,

Your ob't. serv't.

J. D. JONES, *Pres.*

STATE OF THE BANK OF CAPE FEAR ON THE MORNING OF MONDAY THE 30th OF NOVEMBER, 1840.

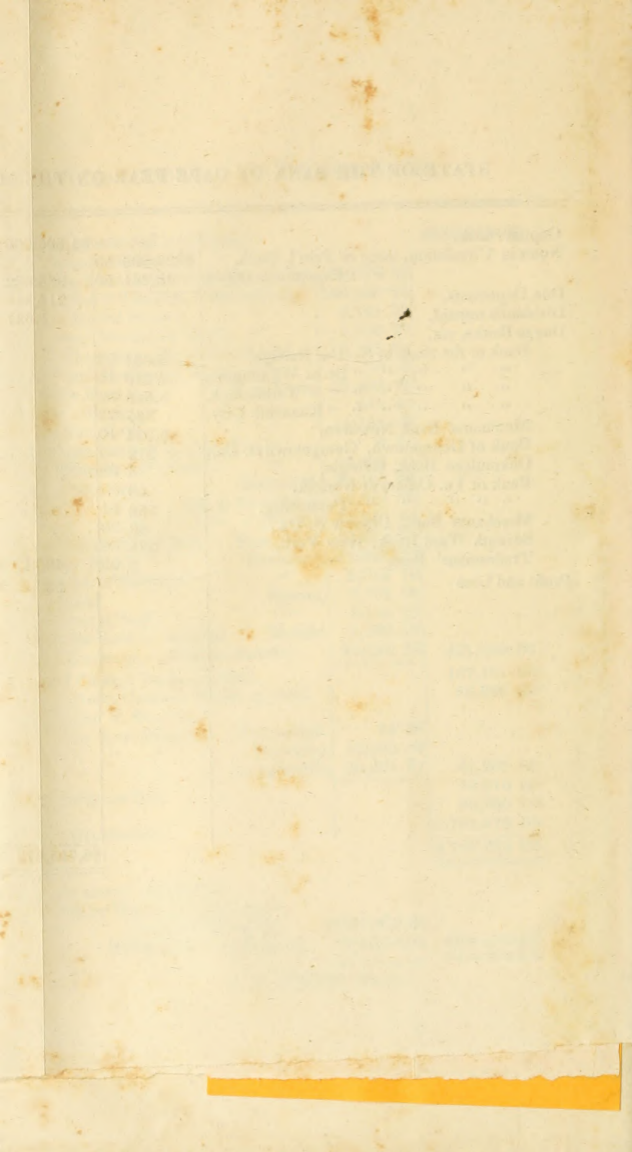
| | | | | | |
|--|--------------|----------------|---|---------------------|--------------|
| Capital Stock, | | \$1,500,000 00 | Specie, (including \$68,806 in transitu.) | | \$358,840 00 |
| Notes in Circulation, issue of Prin'l. Bank, | \$922,800 50 | | Deposits in Foreign Banks, viz. | | |
| " " Fayetteville Office, | 45,281 50 | 968,082 00 | Bank of the Metropolis Washington City, | \$1,970 55 | |
| Due Depositors, | | 214,348 00 | " " North America, Philadelphia, | 166,298 76 | |
| Dividends unpaid, | | 1,631 00 | " " United States, | 9,191 53 | |
| Due to Banks, viz. | | | Farmers and Mechanics' Bank, | 5,360 27 | |
| Bank of the State of N. Ca. Raleigh, | 6,034 03 | | Bank of Charleston, Charleston S. Ca., | 10,193 34 | |
| " " " " Br. at Wilmington, | 32,319 10 | | Planters' and Mechanics' Bank, | 70 16 | |
| " " " " Tarborough, | 3,638 65 | | Merchant's Bank, | New York, | 10,062 76 |
| " " " " Elizabeth City, | 365 73 | | Mechanic's Bank, | " | 241 42 |
| Merchants' Bank Newbern, | 5,324 10 | | Bank of New York, | " | 14,593 26 |
| Bank of Georgetown, Georgetown S. Ca., | 312 03 | | N. American Trust & Bank'g., Co., | " | 4 81 |
| Ockmulgee Bank, Georgia, | 4 38 | | Leather Manufacture's Bank, | " | 5,000 |
| Bank of Va. Office, at Norfolk, | 50 | | Bank of Virginia, | Richmond, | 29,105 76 |
| " " " " Petersburg, | 556 51 | | Do. | Off. at Petersburg, | 4,285 89 |
| Merchants' Bank, Cheraw S. Ca., | 83 80 | | Do. | " " Norfolk, | 65,305 20 |
| Seventh Ward Bank, New York, | 525 62 | | Farmers' Bank of Virginia, | Petersburg, | 21,854 71 |
| Tradesmans' Bank | 3 05 | 49,217 00 | Merchants' Bank, | Baltimore, | 17,856 22 |
| Profit and Loss | | 65,395 00 | Union Bank of Maryland, | " | 2,313 70 |
| | | | Union Bank, | Boston, | 3,572 68 |
| | | | Massachusetts Bank, | " | 4,144 23 |
| | | | Bank of the State of Alabama, | Mobile, | 1,009 10 |
| | | | Bills of Exchange running to maturity, | | 85,123 65 |
| | | | Notes of Foreign Banks on hand, | | 107,161 00 |
| | | | " " North Carolina Banks on hand, | | 38,990 00 |
| | | | Due by Banks in N. Ca., viz. | | |
| | | | Bank of the State Branch at Tarborough, | 74 38 | |
| | | | " " " " Newbern, | 12,100 65 | |
| | | | " " " " Fayetteville, | 29,031 97 | 41,207 00 |
| | | | Bills of Exchange in Suit, | | 10,010 00 |
| | | | Real Estate, | | 50,630 00 |
| | | | Debt (Notes Discounted,) | | 1,734,275 00 |
| | | \$2,798,673 00 | | | 2,798,673 00 |

Of the Debt as above, \$1,734,275

There is due by Directors at Principal

| | | |
|-----------------------------|--------------|--------------|
| Bank and Branches, | \$170,829,63 | |
| Stockholders not Directors, | 184,750,92 | \$355,580,55 |

J. D. JONES, Pres't.



LEGISLATURE OF NORTH CAROLINA.

RALEIGH, DECEMBER 11, 1840.

REPORT

OF THE

COMMITTEE ON FINANCE.

The committee on Finance have instructed me to report: That they have carefully examined all the books and vouchers, in the Treasurer's & Comptroller's offices, and find that they correspond with the reports, made by the two officers presiding over these departments, to the present General Assembly, for the two last fiscal years, ending the 1st November 1840. They have also examined the Deposites in the Banks, and find them to correspond with the amount stated in the Treasurer's Report; and that the monthly deposits in the Banks have been made as required by law. The vouchers, which have been examined in the Comptroller's office, have all been cancelled. As far as the committee can judge, all the accounts have been kept in conformity with the laws regulating those departments.

The committee have counted and burned, treasury notes, which had been taken in by the Public Treasurer, to the amount of three hundred and fifty five dollars and forty five cents, (\$355 45,) being the sum of five dollars and eighty one cents (\$5 81) more than is reported, by that officer, to have been in the vaults of the Treasury, on the 16th November, the date of his report to this General Assembly. A resolution directing the Public Treasurer to be allowed that amount, in the settlement of his public accounts, accompanies this report.

The committee think it but an act of justice to say, that much credit is due to the Comptroller and Treasurer, for the able and faithful manner they have discharged the duties of the departments over which they preside.

Respectfully submitted.

H. G. SPRUILL, *Chairman.**December 8, 1840.*

LEGISLATURE OF NORTH CAROLINA,
RALEIGH, DEC. 10, 1840.

REPORT

OF THE

COMMITTEE ON PUBLIC BUILDINGS AND REBUILD-
ING THE CAPITOL.

The Committee on Public Buildings and rebuilding the Capitol find that, by a Report made by the Joint Select Committee on Public Buildings, at the last session of the General Assembly, the sum of \$1,117 39 had been expended, for which no satisfactory vouchers had been exhibited, and is, therefore, reported as a deficit. That committee reported that there was also the sum of \$409 59 expended, for which no satisfactory vouchers were produced; but the committee believed, from various circumstances, that the money had been properly paid out. These two items make the sum of \$1,526 99. It is due to Thomas L. West, who was at that time Clerk of the Board, to state that he has produced to this committee proper vouchers, which he, as Clerk of the Board, paid, in the months of May, June and July, (the months in which the defalcation is reported to have occurred,) to the amount of \$1,586 46; which amount is \$59 47 more than the deficit reported. The committee are of opinion that it is but sheer justice to Maj. West to refund to him that amount; and they, therefore, have instructed me to report a resolution for that purpose, designating the fund out of which it is to be paid.

It appears that the sum of \$75,000, appropriated at the last session, was all expended by the 1st of March, 1840. The committee deem it unnecessary to advert to the reasons which induced the commissioners to carry on the work, after the amount appropriated had been expended. Sufficient has been said by the commissioners, on that subject, in their report to the Legislature. They have, undoubtedly, transcended the bounds within which they ought to have kept them-

selves, when they contracted debts in the name of the State—anticipated the action of the General Assembly—and relied upon the circumstances of the case to plead their apology. Of this course the committee are compelled to express their strong disapprobation. It was but following a dangerous precedent, and one which, under ordinary circumstances, should meet with the decided reproof of this body. But something, at least, can be said in justification of the course they pursued. It cannot be presumed that it was the intention of the Legislature that the work should be suspended. Had the commissioners stopped, when the appropriated funds were exhausted, the interest of the State must have suffered greatly in a pecuniary point of view. The workmen were here; the materials had been collected; several contracts had been entered into for furniture, &c.; the contractors had nearly completed their jobs, and money had been advanced to them in part payment. Had the work at that time been suspended, the State must have suffered much in the collection of the workmen, and in properly disposing of the materials; besides, an expense of 12 to \$1,500 would have been incurred for the rent of a house for the General Assembly to hold its session in, if one which would have answered that purpose could have been procured at all. Under these circumstances, the committee are of opinion that the State should pay the amount of \$20,000, with interest from the 16th day of November, 1840, which the commissioners contracted with the Bank of the State of North Carolina—as notes to that amount, signed by the chairman of the commissioners, are now in that Bank. The committee have instructed me to report a bill for that purpose.

Debts due to individuals have been contracted to the amount of \$9,374:46, all of which are unpaid, and the accounts for which have been examined by the committee. Among the largest of these unsettled bills is, the balance due W. W. French, on his contract for plastering, of \$3,683:92. There is also due to Wm. Thompson, for a balance due on his contract for furniture, the sum of \$3,917:24. The balance of the unpaid debts, due to individuals, is for mantels, chandeliers, paints, oils and painting, plank, hauling, carpenter's wages, and for various other articles indispensably necessary. A list of these unsettled accounts is hereunto attached. In Mr. Thompson's account is the charge for the desks and chairs in the Senate Chamber and Commons Hall. So little are the committee acquainted with the value of articles of that kind, that they cannot come to a definite conclusion as to the correctness of the charge. The commissioners were satisfied that they could not have had those articles made at the north and brought here cheaper than Mr. Thompson contracted to make

them for; and, for strength and durability, they are, unquestionably, superior articles. These debts are due to individuals. Nearly all the claimants are inhabitants of North Carolina. A large portion of these debts is for labor actually performed on the Capitol. Some of the claimants are now sued for materials purchased at the north, and have begged indulgence until the action of the Legislature. It appears to the committee that, in all good conscience, these debts should be paid. Are we willing to enjoy the fruits of another's labor, and render no equivalent? Shall we make use of these materials, and adjourn without providing for the payment of them? Will we permit our own citizens to be sued and distressed for debts contracted for materials, while we, as a legislative body, are using the articles made out of those materials? The committee have instructed me to report a bill providing for the payment of these accounts.

There have been sales made by the commissioners of rock, and various other articles, to the amount of \$2,569:47; of which sum \$1,243 26 have been received in cash; and bonds and accounts are held for the balance, to the amount of \$1,326:21. Out of that portion of the amount which was received in cash, the commissioners have paid the sum of \$455:24 for carpenter's wages, in the month of August, 1840; also, advanced to William Thompson, in part of his contract for furniture, the sum of \$500:00; and also, the sum of \$167:60, for various other bills; all of which the committee have examined—making, in all, \$1,122:85. A balance still remains of \$1,446:62—a part of which is now in suit. That amount we consider as properly chargeable to S. Birdsall, Clerk of the Commissioners. In the full settlement of the accounts, up to the 1st August, 1840, (the time when the funds drawn from the Bank were exhausted,) the committee find that there was a balance due S. Birdsall, clerk, of \$96:84, which he of right ought to receive. We have, therefore, taken that amount from the balance due for articles, &c., sold by the commissioners, which leaves a balance in the hands of Mr. Birdsall of \$1,349:78. The committee have directed me to report a bill directing the Public Treasurer to take into his possession the accounts and bonds to the above amount of \$1,349:78, and proceed to the speedy collection of them.

The committee take pleasure in bearing testimony, to the neatness and entire accuracy of the various accounts submitted to their inspection; and of the perseverance of the Commissioners in prosecuting the great work committed to their charge. As the work advanced, they have consulted the best of Architects, and obtained their advice. When it became necessary to make heavy purchases

at the North, the best means have been taken to prevent any imposition being practiced on the State.

Though it may be improper to allude to the action of the Legislatures that have made appropriations for re-building the Capitol, and though an expression of opinion, by this committee, as regards the appointment of Commissioners may be considered out of time; yet, the committee cannot withhold their opinion that an improper step was taken in the commencement. Had a competent salary been allowed to the Commissioners, their whole time would have been devoted to the accomplishment of the work. No time would have been lost by the workmen; no hands, employed at heavy wages, would have been seen, (as was always the case,) idling their time away; and a better system of management of the workmen would have been adopted. Experience proves, that a salary to the Commissioners would have been the best economy.

The Commissioners have done all that could reasonably have been expected of them. Acting without any compensation, it was not to be supposed that they could have devoted that time and attention to the *work* which a strict regard to economy demanded.

It must be admitted that in the plan of the building, and particularly the Legislative Halls, much of convenience and comfort have been sacrificed; and though it may be urged, that the costliness of the building, is incompatible with the true principles of republican simplicity, yet, when it is considered that the work is identified with the pride and character of the State; that it is to last through all future time, a noble monument of its liberality and patriotism, and is destined to elevate our people in the eyes of their fellow citizens throughout the Union; when these things are borne in mind, your committee cannot believe for a moment, that any vain regrets will be indulged. Certain it is, that this Political Temple, the Capitol of North Carolina, will vie with any legislative building in the Union, if not in the world, and presents one of the finest specimens extant of classic taste in Architecture.

The rooms designed for the Supreme Court and Library are still unfinished. Two of the apartments in the basement story, at present occupied by the Door Keepers, are also unfinished.

Some cases are needed in the Comptroller's Office, and the office has not yet been painted. It will take but a small amount to finish them, as the window facing and panel work are already done, and will require but little labor to put them up. Should an appropriation not be made, these materials, already prepared for their places in the building, will be lying by, entirely useless, and may be injured if

not not destroyed. The committee are satisfied that \$2,000 will be amply sufficient to complete the work, and recommend an appropriation for that amount, to be placed under the control of the Governor. Although "suitable draperies and curtains and carpets are still necessary to complete the interior arrangement of the capitol; while the enclosure of the Square, with a fence of durable materials, in a style to correspond with the building itself, is suggested by a correct taste, and demanded by a suitable regard for the preservation of the house, and of the highly ornamental grove in which it stands;" yet the committee do not recommend an appropriation at this time, and think it more prudent to leave that for the action of subsequent Legislatures, when it is hoped the state of the Treasury will be in a better condition to meet the necessary appropriations.

The several appropriations made by the State for rebuilding the Capitol, amount as follows:

| | |
|--|--------------|
| Appropriated Session of 1832, | \$50,000 00 |
| Appropriated Session of 1833, | 75,000 00 |
| Appropriated Session of 1834, | 75,000 00 |
| Appropriated Session of 1835, | 75,000 00 |
| Appropriated Session of 1836, | 120,000 00 |
| Appropriated Session of 1838, | 75,000 00 |
| Amount appropriated for Loans from Banks made by commissions, Sesssion of 1838, | 30,300 00 |
| | <hr/> |
| | \$500,300 00 |

Making in all the appropriations up to the Session of 1840, as above stated, \$500,300 00.

| | |
|---|-------------|
| Proposed appropriation this Session. | \$2,000 00 |
| Amount due to Bank, S. N. C. | 20,000 00 |
| Interest from 16th Nov. say 1½ mo. | 300 00 |
| Amount due for accounts unpaid, | 9,374 46 |
| Add amount due Maj. West, proposed to be paid, | 59 47 |
| | <hr/> |
| Amount since Session of 1838, | \$31,733 93 |
| Deduct amount in the hands of S. Birdsall for Rock and other materials sold by Comr's, | 1,349 78 |
| | <hr/> |

Which will leave a balance of \$30,384 15 on appropriations for this Session. This amount added to the expenditures up to this Session will make the total amount of \$530,684 15

The following is the List of Accounts yet due for work on, and materials and furniture for the Capitol:

| | |
|-------------------------------------|------------|
| William W. French, Plaisterer, | \$3,863 92 |
| John Struthey, Mantels, | 331 90 |
| Cornelius & Co., Lamps, | 723 30 |
| William Thompson, Furniture, | 3,917 14 |
| C. A. Frazier, Painting, | 320 12 |
| Williams & Haywood, Paints and oil, | 188 28 |
| Rich'd. Smith, Merchandize, | 121 06 |
| James McKimmon, do | 11 82 |
| William C. Tucker, do | 15 89 |
| Peter Foster, Plank, | 20 00 |
| Benj. B. Smith, Merchandize, | 12 80 |
| Sarah Polk, Hauling, | 15 82 |
| W. & A. Stith, Pump cylender, &c., | 34 47 |
| Turner & Hughes, Paper, | 45 |
| John Hutchings, hauling, | 12 00 |
| Reeder & Lougee, paint buckets, | 2 65 |
| Silas Burnes, Laborer, | 49 75 |
| J. J. Briggs, carpenter, | 132 00 |
| Thos. H. Briggs, do | 6 00 |
| John Stephens, do | 100 50 |
| Joshua Allen, watching, &c. | 23 50 |
| Ingram Comons, laborer, | 38 62 |
| James Brickle, do | 42 37 |

Which makes the amount of \$9,374 46
as stated in this Report.

In compliance with a resolution of the House of Commons, directing the committee to report "all the fixtures and articles of furniture purchased on behalf of the State, for furnishing the Capitol, specifying each article, and the cost of the same," the following statement is submitted:

| | | | | | |
|----|---------|------------------------|------|------|-----------|
| 2 | SS | Light Chandeliers, | each | cost | \$650 000 |
| 2 | 6 | do. do. | each | | 100 00 |
| 12 | 3 | do. do. | each | | 40 00 |
| 1 | Doz. | extra cut shades, | | | 20 00 |
| 2 | Doz. | " " Chimneys, per doz. | | | 1 25 |
| 2 | Rods | to suspend lights, | each | | 8 00 |
| 8 | Clouded | Marble Mantels, | | | 60 00 |
| | Extra | Fires and Hearths, | | | 160 00 |
| 2 | Black | Gold Gothic Mantels, | each | | 300 00 |
| 2 | " | " Pilaster do. | each | | 200 00 |
| 4 | " | " Do. " | each | | 175 00 |

| | | | | | | |
|-----|-----------------|-----------------------|------------------|------|------|--------|
| 2 | " | " | Do. | " | each | 175 00 |
| 3 | Clouded Mantels | extra size, | each | | | 100 00 |
| 6 | Do. | do. | small size, | each | | 60 00 |
| 1 | Doz. | Chairs | for Gov. Office, | | | 36 00 |
| 50 | Desks | for Senate Chamber, | each | | | 25 00 |
| 50 | Chairs | for do. | do. | each | | 20 00 |
| 2 | Do. | for Clerks of Senate, | each | | | 20 00 |
| 38 | Desks | for Ho. of Commons, | each | | | 35 00 |
| 120 | Chairs | for do. | do. | each | | 12 50 |
| 2 | Do. | for Clerks, | each | | | 12 00 |
| 3 | Chairs | for Supreme Court, | each | | | 20 00 |
| 13 | Chairs | for Committee Rooms, | | | | 32 50 |

The Committee are unable to give any account of the cost of the Speaker's and Clerk's Desks, as the materials were furnished by the Commissioners, and the work was done by Carpenters who had a per diem pay. The Committee have no means of arriving at a correct estimate of the amount and cost of the materials used, or the number of day's work employed.

As somewhat connected with the subject, the Committee have made some enquiry to enable them to form an opinion of what course should be taken as regards the Quarry. Properly managed, it may be made a small source of revenue to the State. We are of opinion that it should be left with the Governor, to dispose of it by renting it, or in such way as he may think will be best for the interest of the State.

Your committee know of no further duties to be discharged by them, and in conclusion, will congratulate the Citizens of the State, on the final completion of their Capitol.

Respectfully submitted,

H. G. SPRUILL, *Chairman.*

LEGISLATURE OF NORTH CAROLINA.

HOUSE OF COMMONS, DEC. 1840.

REPORT

OF THE

COMMITTEE ON THE JUDICIARY,

ON THE

EXECUTION OF WILLS AND TESTAMENTS.

The Committee on the Judiciary, to whom was referred the resolution of enquiry into the propriety of requiring the same solemnities in the execution of written wills of personalty, as are required in the execution of wills of realty, beg leave to report, that they are of opinion that the same formalities ought to be observed in the execution of written wills of both species of estates. First, because, in general, they are both included in the same instrument by the testator. Secondly, because, if the greater formality now required by law, in the execution of wills of real estate, be founded in sound policy, as is believed by the committee, the same policy will embrace written wills of personal estate. The great, if not the sole, reason of requiring the present statutory formalities in respect to wills of realty, is, the protection which is thereby furnished against fraud and imposition on the testator; and the committee can see no good reason why the testator should not be equally guarded in testaments of personal estate. For the most part, the owner of one species of estate is the owner of the other; and frequently, if not generally, the personal is of greater value than the real estate.

Thirdly, because the requirement of such formality in the execution of both kinds of wills, will avoid the injustice of establishing as a will, what in truth is but part of the will; and, being but a part, tends to destroy the designed bounty of the testator, and to distribute his property in a manner directly contrary to his

written wishes. A written will, professing to convey both real and personal estate, is often admitted to probate as to the latter, and rejected as to the former, because the formalities required to pass land have not been observed. After the decisions of our Courts upon this subject, it is vain to argue that the derangement of the testator's disposition of his property, caused by receiving the instrument as a will sufficient to pass personal but not real estate, ought to set it aside altogether, as no longer containing his wishes. The consequence of such partial probate is, that in law the testator dies intestate as to his real estate, and testate as to his personal. So that, if such will should give to one son the real estate, and to another the personal, the latter takes all that was intended for him, and shares equally with the former a bounty in which it was never designed he should participate. This unjust and unintended result is avoided by requiring the same formalities in the execution of each kind of wills. Then they will be good as to both estates, or ineffectual as to both. By this means, the will will be effectual in all its parts; and if insufficient to operate at all, the whole of the property will be left to that wise and natural disposition of it, provided for by the law of descents and distributions.

B. F. MOORE,

of the Committee,

LEGISLATURE OF NORTH CAROLINA.

HOUSE OF COMMONS, DECEMBER 1840.

A BILL

To amend the Revised Statute entitled “An act concerning last Wills and Testaments.”

1. *Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same,*
2 That no will in writing, made after the
3
4 whereby personal estate is bequeathed, shall be
5 sufficient to convey or give the same, unless such will be exe-
6 cuted with the same formalities as are required in the execu-
7 tion of wills of real estate, according to the provisions of the
8 first section of said statute. Nor shall said will in writing,
9 whereby personal estate is bequeathed, nor any part thereof,
10 be revocable but in the same manner as wills of real estate are
11 revocable, and as is provided by the twelfth section of the said
12 statute: *Provided nevertheless,* That the provisions of this
13 act shall not be construed to affect nuncupative wills; but that
14 the same may be made where now they are allowable.

LEGISLATIVE OF NORTH CAROLINA

ARTICLE

1. The General Assembly shall have the honor to receive the Governor and the members of the Executive Council.
2. The General Assembly shall have the honor to receive the members of the Executive Council.
3. The General Assembly shall have the honor to receive the members of the Executive Council.
4. The General Assembly shall have the honor to receive the members of the Executive Council.
5. The General Assembly shall have the honor to receive the members of the Executive Council.
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11. The General Assembly shall have the honor to receive the members of the Executive Council.
12. The General Assembly shall have the honor to receive the members of the Executive Council.
13. The General Assembly shall have the honor to receive the members of the Executive Council.
14. The General Assembly shall have the honor to receive the members of the Executive Council.

LEGISLATURE OF NORTH CAROLINA.

HOUSE OF COMMONS, DEC. 12, 1840.

REPORT
OF THE
PUBLIC TREASURER

SHOWING THE AMOUNT OF

STOCKS AND BONDS HELD BY THE STATE.

TREASURY OFFICE, Dec. 10, 1840.

To the Honorable the Speaker of the House of Commons:

SIR:

In obedience to a resolution directing the Public Treasurer to report "the whole amount of stock held by the State in incorporated companies, specifying the amount in each company and the fund to which it belongs, with the market value of the same, as nearly as can be ascertained; also the several sums or debts due the State, (the Cherokee bonds to be included in one item,) specifying the fund to which they belong, and whether the collection of the same or any part thereof, be in his opinion doubtful," respectfully submits the accompanying statement, showing the market or estimated value as nearly as can be ascertained.

The sales of stocks have been so rare, that much difficulty has arisen in arriving at any thing like a satisfactory conclusion as to the market value of those belonging to the State. In many cases where sales have taken place, the market price bears a great disproportion to the amount received from the dividends. For instance, the stock in the Buncombe Turnpike Company for several years past, has divided fifteen per cent., yet that stock is only estimated at par value, and no sales have been made for more.

The estimates in the Cape Fear and Roanoke Navigation Companies are fixed by the respective companies, there having been no recent sales of any of their stocks.

The result of the inquiries made respecting stock in the Wilmington and Raleigh Rail Road Company, shews that within the last five or six months, sales have been made varying from forty-five to one hundred dollars per share. It is therefore fixed at \$75 as the average. It would seem scarcely necessary to remark, that the prices produced by the sale of stock in the Wilmington

and Raleigh Rail Road Company cannot be relied upon as conclusive or even probable evidence of the real value. At the time when some of the transfers referred to were made, the road was scarcely completed, the resources of the company had not been ascertained, and the money market was deranged to an extent almost unprecedented in our history. A much more certain guide to the real value will probably be found in the recent expose by the corporation of the situation of its affairs.

There can be no difficulty in assuming the principle, that any permanent stock yielding to the State an annual profit of six per cent, should be estimated at least at par, and this principle may be properly applied to stocks paying either smaller or larger dividends, thus: three per cent. stocks should be valued at fifty dollars, and twelve per cent. at \$200.

It was thought unnecessary to report the stocks of the Yadkin, Catawba, Neuse and Tar River Navigation Companies, and the Clubfoot and Harlow's Creek Canal Company, as they have ceased to exist as companies, and the stocks considered worthless.

With regard to the security of the debts due the State, there is no reason to believe that they are otherwise than safe, and may be collected whenever it may be the pleasure of the Legislature to enforce it.

I have the honor to be,

Very respectfully,

C. L. HINTON, *Pub, Treas,*

STATEMENT

Of the amount of Stocks of the State of North Carolina in Incorporated Companies and the Fund to which they belong, with the market and estimated value of the same; also the amount of Cherokee bonds and other bonds held by the State.

| | | | |
|------|---|----------------------------|--|
| 5000 | Shares of Stock in the Bank of the State of North Carolina, held by the President and Directors of the Lit'ry Fund, Par value, \$100 per share, Market value, \$110 do. | \$500,000 \$550,000 | |
| 5322 | Shares of Stock in the Bank of Cape Fear, held by the President & Directors of the Literary Fund, | | |
| 112 | Shares do. do. Dividends appropriated to the Fund for Int. Impt. | | |
| 10 | Shares do. do. Dividends unappropriated, Par value, \$100 per share, Market value, do. do. | 544,000 544,000 | |
| 100 | Shares of Stock in the Buncombe Turnpike Co. dividends unappropriated, Par value, \$50 per share, Market value \$50 " " | 5,000 5,000 | |
| 6000 | Shares of Stock in the Wilmington and Raleigh Rail Road Company held by the Board of Int. Impt., dividends appropriated to the Literary Fund, Par value, \$100 per share, Estimated value, \$75 " " | 600,000 450,000 | |
| 500 | Shares of Stock in the Roanoke Navigation Co., dividends appropriated to the Literary Fund, Par value \$100 per share, | 50,000 | |

| | | |
|--|---------------------|--------------------|
| Estimated value, \$47 per share, | | 23,5000 |
| 650 Shares of Stock in the Cape Fear Navigation Co., dividends appropriated to Literary Fund, | | |
| Par value, \$50 per share, | 32,500 | |
| Estimated value, \$20 " " | | 13,000 |
| | <u>\$1,731,500</u> | <u>\$1,585,500</u> |
| Amount of Stocks at par value, | 1,731,500 | |
| Do. do. at market and estimated value, | 1,585,500 | |
| Difference less than par value, | <u>146,000</u> | |
| Amount of Bonds of the Raleigh & Gaston Rail R'd Co. interest appropriated to Literary Fund, | 140,000 | |
| Amount of Bonds of the Raleigh & Wilmington R. R. Co., interest appropriated to Literary Fund, | 85,000 | |
| Amount of notes of Individuals and Corporations, held by Lit'ry Board, interest appropriated to Lit'ry F'd | 155,943 75 | |
| Amount of notes of individuals and Corporations, held by the Board of Int. Impt., interest to Lit'ry F'd | 30,761 52 | |
| Amount of Cherokee bonds appropriated to Fund for Internal Impt. | 294,288 23 | |
| Amount of notes of individuals held by Public Treasurer, | 3,808 22 | |
| Amount of Bonds and notes, | <u>\$709,801 72</u> | |

LEGISLATURE OF NORTH CAROLINA.

RALEIGH, DEC. 12, 1840.

REPORT

OF THE

JOINT SELECT COMMITTEE

ON THE SUBJECT OF A

LUNATIC AND ORPHAN ASYLUM.

The Joint Select Committee to which was referred so much of the Message of his Excellency the Governor, as relates to a Lunatic and Orphans' Assylum, having considered that portion which relates to a Lunatic Assylum, beg leave to report:

That from the best information they have been able to procure, there are now in the State of North Carolina, not less than eight hundred lunatics. The returns of the deputy marshals shew an astonishing sum total of eight hundred lunatics and idiots. Of whom one hundred and eighty five are reported as at the cost of the public; requiring at the lowest estimate not less than \$27,000 per annum for their support and necessary expenses.

This list evidently falls short of the real number. For there are acknowledged lunatics unlisted as such in the said returns. Besides, there are probably many others, who, having improved in mind, by the verdict of a jury are declared *compos mentis*; when, in fact and in truth, the individual is known and acknowledged by his best friends to be much disordered in mind. The sympathy of the public is always on the side of such an individual; and a jury of their acquaintances, we know from experience, are inclined in such cases to render a verdict which will place a neighbor in the possession of his property and the privileges of a freeman, where there are not strong indications of derangement and danger. Further: it is a well ascertained fact, that all lunatics who do not fall under that class de-

nominated furiously mad, converse with their usual propriety and sense on every subject disconnected with those in which the disease or malady originated; and in consequence, are not enumerated in said returns. Therefore we may safely assume, that the number above stated falls far short of actual fact. And how mortifying the reflection, that there are so many in our State enduring all that misery and suffering to which persons thus afflicted are liable, and for which the grave would be an acceptable and desirable exchange to patients, to society, and friends!

For ages past, this frightful malady has been regarded, until recently, as being entirely beyond the reach of medical skill. But to the credit of our nature be it said, through the instrumentality of the bounty and munificence of private charities of modern date, science has been enabled to demonstrate that this most dreadful of all maladies, by the use of Asylums suitably constructed, and proper treatment, is curable. To the accomplishment of this desirable object, a Lunatic Asylum is not only necessary, but is absolutely indispensable. Having above given the credit of this great blessing to the finer feelings of our nature, truth and justice require that we should acknowledge that it is rather due to cultivated and enlightened christianity.

Upon examination of various Reports from the proper officers of these institutions, in this and other countries, it is found that this awful disease of the mind yields as readily, and as surely, to medicine and suitable treatment, as diseases of the body; and more so than any disease of the body regarded as dangerous.

In the retreat or Asylum at York, England, according to an authentic report, out of forty cases admitted in that institution, in three months after the commencement of the malady, the whole number were restored to a sound state of mind. Of those admitted after three months and within twelve months after the commencement of the malady, the proportion of cures was as twenty-five to forty-five. While those whose disease was of more than two years' standing, the proportion of cures was as fourteen to seventy-nine only.

And the institutions of this country shew similar results. At the Hartford Retreat, ninety-one per cent. have been cured; and at the Worcester Asylum more than this has been done in a succession of years: while of long standing cases which have become chronic, not more than 12 1-2 per cent. have been cured.

The report of the Worcester institution for 1838, says the 12th table of the superintendent shews "that upon the proper and usual basis of computation, the proportion of cures at this Asylum, in ca-

cases of less than one year's duration at the time when received, is 94 per cent., while the proportion of cures in cases of more than five years' standing has only been 12 1-2 per cent.; and in cases of more than ten years' standing, only 3 1-2 per cent.

Your committee might proceed with extracts from reports of various other institutions of this character; but these would only go to confirm the general results and principles established by the foregoing, and are therefore deemed unnecessary.

These fully prove beyond cavil or doubt in the mind of the most sceptical, that by Asylums properly constructed, and suitable and timely treatment, this awful malady may be not only relieved, but effectually and radically cured in almost every case.

Seeing that such are the recorded undisputed facts, in relation to the means and ability of affording ample and complete relief in these cases of so much suffering and distress, it will only be necessary, in the opinion of your committee, to demonstrate to this General Assembly that the measure is feasible, to induce it to embark immediately, cordially and efficiently, in a work of such vast importance and urgent necessity—the more especially as the work addresses itself directly to the finer and more elevated feelings of our nature: those of charity, compassion, benevolence, in a word of philanthropy, in its broadest and fullest sense.

Then is the measure practicable; and what the cost? Has the State the means of constructing an Asylum?

Your committee find the State of Massachusetts appropriated \$30,000 for the erection of a suitable building of brick, which was intended to accommodate 120 patients; and the commissioners for erecting which, just before its completion, in a report to the Legislature, state that that sum was fully sufficient. The further sum of twenty thousand dollars was afterwards appropriated for furnishing the rooms. Tennessee, Kentucky, and some other States, we believe, have appropriated about the same sum: while the Asylum in South Carolina cost originally \$100,000; and that State has since made other appropriations to the amount of \$

The Worcester Asylum, with chapel, lands and enlargement, presents an aggregate cost of \$87,500; but now accommodates 229 patients. Whereas, the original cost of building and furnishing rooms, was, as before stated, \$50,000—intended to accommodate only 120 patients.

The Asylum of Maine is of unhewn granite—cost about \$125,000 for building, furniture, land, &c.; to which was afterwards added \$10,000 for additional furniture. Several of the States have two, and

some three institutions of this kind—some constructed entirely, and some partially, by private donations. Fifteen States of this Union, if no more, now have institutions of this kind in full and successful operation.

With these facts before it, your committee are of opinion that fifty thousand dollars will be abundantly sufficient to build and furnish an Asylum on the most approved plan, sufficient for the accommodation of one hundred and twenty patients. Of those in other States, some have cost less, and some much more, as above stated. Is the State able to appropriate this sum, without embarrassment to the treasury or increasing the burthen of its citizens? Yes—this is fully proved by the reports and documents now on the desk of every member; as will be seen by reference to statement hereunto annexed.

Here, then, it would seem there should be an end of the question, and of further argument, especially to a body so enlightened and beneficent as is this Legislature. But, as the subject, viewed in the light of a State measure, is new, and is one which has not engaged that portion of public attention which its vast importance merits, your committee beg to be indulged in stating a few only of the many and weighty considerations why legislative action on this subject should be at least sure, if not prompt, zealous and liberal. Consider but for one moment, from the statement before made, there are now 800 lunatics in this State—and what is their condition? Some—and they the less miserable—rambling about through the country, without purpose, without reason—dependent on the charity of strangers for their daily wants and subsistence: Others, less fortunate, confined in poor-houses and prisons—all miserable and wretched beyond description or conception—and all hopelessly so, and so must continue—yea, daily become more and more so, without the aid of Asylums, by which much comfort and some relief may be extended to all—no matter how desperate the case; and by which many may be restored back to society, to friends, to family, to children, to all the rational enjoyments of mind and body.

In addition to this, do but consider how many persons have been deprived innocently and violently of life, by some of the very lunatics in this number above stated; and those who thus perish are most likely to be the nearest, dearest and best friend. And would an Asylum have prevented these calamities? Yes; and will prevent the recurrence of any such other list of lunatics hereafter, with their long and sickening train of concomitant evils.

Besides, it should be borne in mind, that as every State bordering on North Carolina—Georgia excepted—has now an Asylum, where all,

even in our own State, who are able to pay their expenses, can readily be admitted to its benefits—then, may it not be feared that indifference on this subject will be construed, by the ill-natured and illiberal, into a want of suitable and becoming regard for the poorer class of our fellow citizens? Again, there are many counties now paying for the support and confinement of their poor lunatics, more than would be their proportionate part of all the expense necessary to put in operation such an institution, if the amount required were to be raised directly by additional taxation.

Then, your committee are at a loss to conceive how or to what purpose the most enlightened statesman or ardent philanthropist could apply the same amount of money, so as to relieve so much suffering and distress—to secure so many important blessings and benefits, public and private, or to reflect so much honor upon the Legislature and the State.

On the score of economy, as a financial measure, the object stands highly recommended, as will fully appear from one moment's consideration. Suppose the erection of the hospital and furnishing rooms, &c., cost sixty thousand dollars—that is about the amount which the people are required to pay in two years, for the support of their pauper lunatics—thereby saving annually, after the erection of a hospital, at least twenty thousand dollars in the way of taxes from the people.

Your committee, deeply impressed with the magnitude and number of evils complained of, and feeling the most firm and unshaken confidence in the efficacy of the measure proposed, wholly to eradicate or greatly to mitigate every one, have instructed me to report the accompanying resolutions, and recommend their adoption.

All of which is respectfully submitted,

MATT. R. MOORE.

LEGISLATURE OF NORTH CAROLINA,
RALEIGH, DEC. 12, 1840.

RESOLUTIONS
AUTHORIZING THE ERECTION
OF A
LUNATIC HOSPITAL.

I. *Resolved*, That His Excellency the Governor, together with
2 shall be, and
3 the same are hereby constituted a Board, with full power and au-
4 thority to purchase a lot of land in this State, and procure a deed
5 thereof in the name of the State, which shall be an eligible site for
6 a Lunatic Hospital; regard being had, in the selection of such site,
7 to the centre of population—to the cheapness of labour and ma-
8 terials for the construction of said Hospital; and that said Board
9 appoint Commissioners, who shall cause to be
10 erected, on said site, a Hospital, suitable for the accommodation of
11 a Superintendent, and lunatics, or persons furiously
12 mad; and that said Commissioners shall have power to make all
13 necessary contracts for, and to appoint to superin-
14 tend the erection of the same, on the most approved plan; and shall
15 also ascertain and report to His Excellency, a system of discipline
16 and government therefor, at or before the time when the same
17 shall be completed. And said Commissioners shall present all
18 their accounts to the aforesaid Board, to be by them audited and
19 allowed as they shall deem just.

II. *Resolved*, That to defray the expenses of erecting said Hos-
2 pital, His Excellency the Governor be, and he is hereby authori-
3 zed to draw his warrant, from time to time, upon the Public
4 Treasurer, for the necessary sums of money, not exceeding

LEGISLATURE OF NORTH CAROLINA

SESSION, 1895-1896

RESOLUTIONS

AUTHORIZING THE ERECTION

OF A HOSPITAL

1. Resolved, That the Excellency the Governor, together with
2 shall be, and
3 the same are hereby constituted a Board, with full power and au-
4 thority to purchase a lot of land in this State, and procure a deed
5 thereof in the name of the State, which shall be an original site for
6 a Hospital, regard being had to the selection of such site,
7 to the centre of population—to the convenience of labour and tra-
8 vellers for the construction of said Hospital; and that said Board
9 Commission, who shall cause to be
10 erected, on said site, a Hospital, suitable for the accommodation of
11 a Superintendent, and
12 inmates or persons temporarily
13 made; and that said Commissioners shall have power to make all
14 necessary contracts for and to acquire
15 land the erection of the same on the most approved plan; and shall
16 also ascertain and report to the Excellency, a system of discipline
17 and government thereof, at or before the time when the same
18 shall be completed. And said Commissioners shall present all
19 their accounts to the aforesaid Board, to be by them audited and
20 allowed as they shall deem just.
- II. Resolved, That to defray the expense of erecting said Hos-
2 pital, the Excellency the Governor be, and he is hereby author-
3 ized to draw his warrant from time to time, upon the Public
4 Treasurer, for the necessary sums of money, not exceeding

LEGISLATURE OF NORTH CAROLINA.

RALEIGH, DEC. 12, 1840.

REPORT

OF THE

BOARD OF INTERNAL IMPROVEMENTS

TO THE

GENERAL ASSEMBLY.

To the Honorable the General Assembly of North Carolina.

GENTLEMEN:

In compliance with the act of your last session, requiring this Board "to procure by some Engineer of high distinction, a report upon the practicability and probable cost of opening a communication between Albemarle Sound and the Ocean, at Nag's Head," the services of Major Walter Gwynn were employed, and his report marked A, is herewith submitted.

To place this subject in the most favorable light before the General Government, application was made to associate with him some Engineer having its confidence.

The Secretary at War replied "that any survey made under the personal superintendence of Major Walter Gwynn, would receive the confidence of the Topographical Bureau, as his intelligence and experience are well known. He was a distinguished graduate from the Military Academy, and has been now many years in practice as a Civil Engineer. It is therefore not necessary that an officer should be united to Major Gwynn in the survey."

The Act of the last General Assembly, authorizing the Board to subscribe three fifths of the sum which might be necessary to construct a Rail Road from Fayetteville to some point on the Yadkin, on condition that the other two-fifths should be subscribed by individu-

als, has not been carried into effect, from a failure to obtain individual subscription to the amount required.

As it appeared to the Board that this was a favorite project with the Legislature, from the very liberal inducement held out in the act, the Board used the co-ordinate power with the commissioners conferred on it by the act, and caused books to be opened, and appointed an agent to solicit subscriptions in the counties most likely to make them. Mr. Simeon Colton was appointed for this purpose, and after several months' attention to the business, he returned perfectly satisfied that under the then existing state of affairs in the country, it was entirely impracticable to obtain the necessary subscription from individuals. The project may therefore be considered at an end; and it is believed its warmest friends entertain no further hopes of its success. Under these circumstances, the Board see no alternative but the adoption of the turnpike system, which they had the honor to suggest to the last session of the Legislature. A reference to the report of 1838 will exhibit the plan then proposed.

The Fayetteville and Western Rail Road Company have represented to the Board, that the expense incurred in obtaining surveys of four experimental lines through the country it was contemplated to locate their road in, amounts to \$12,870 75 cts., of which individuals have paid \$5,289 44 cts., leaving a balance now due to Engineers and others of \$7,581 29 cts., which they have asked the Board to pay. See accounts marked A. As the Board is not authorized to do this, it can only recommend the claim to the favourable consideration of the Legislature, which it does, on the ground that the road for which the survey was made, was contemplated to be a joint stock concern.

The Board have received reports from the following companies, viz:

From the Wilmington and Raleigh Rail Road Company, marked B.

From the Raleigh and Gaston Rail Road Company, marked H.

From the Roanoke Nav. Company, C.

From the Cape Fear Nav. Company, D.

And from the Buncombe Turnpike Company, marked E.

All which, with the documents accompanying them, are herewith submitted.

From the time at which this State first turned her attention to the subject of Internal Improvements to the present, her most eminent statesmen have entertained and acted on the principle of diverting as much of her trade as practicable to one or more of her own ports. Of the importance of this policy to the happiness, wealth,

power and commercial independence of the State, none have doubted. The recommendations of the first Board of Internal Improvements, composed of some of the most distinguished citizens of the State, were based on it, and the comprehensive scheme of improvement, authorized by the Legislature of that period, followed. The plans which it embraced, however, appear to have been greatly in advance of the means necessary to accomplish them, and their failure as a whole, was the consequence; though some of them, those designed for the improvement of the Roanoke and Cape Fear, have resulted advantageously to the navigation of those rivers. After a lapse of several years, during which little or nothing was done towards improvement in the State, the Rail Road system began to attract public attention. The wonderful effects of this species of improvement as a mean of intercommunication, seems to have shed a magic influence on the energies of the State, and to have elicited the funds necessary for constructing two of the most extensive works of that character in the United States. In the Wilmington and Raleigh Rail Road, the State is a share-holder to the amount of \$600,000. Whatever views may have determined the location of these roads, it is now pretty generally believed, they can be made subservient to the purposes of the plans above alluded to, viz. the conducting of our products to one or more of our own ports. To make them available, however, for this object, (other) works are necessary, namely: a Turnpike Road of the kind suggested in the last report of this Board, from Raleigh westwardly on the line of the present mail stage route to Salisbury, and ultimately to the mountains; a Rail Road to intersect the Wilmington Rail Road about Waynesborough, with its northern terminus at Raleigh; and a short road to connect the road with the head of steam boat navigation on the Roanoke at Weldon.

It is observable that the first mentioned road will have a more northwardly location than any other proposed western route, and will therefore subserve the purpose of transportation of a section which has heretofore found a market for the most part in another State for the productions, which by it may find a vent at one of our own; that it will be laid throughout its whole extent in a comparatively thickly settled and fertile country, affording a great amount of produce, and requiring more than any section of the State some additional facilities for carrying it off; and that by connecting with the two great Rail Roads of the State, while it will foster the direct interest which the State has in one of them, as a corporation, it is considered no slight recommendation of the plan, that it should, at the same time, uphold and encourage the large class of enterprizing citizens who

have so nobly embarked capital in these works to the amount nearly of \$3,000,000.

The second mentioned road, will give a daily communication between the capital and its southern and most commercial port, and intersect the Neuse at a point to which Steam Boat navigation may be established, and a direct intercourse thereby opened with Newbern and the Harbour of Beaufort, the best in our State, and inferior to few, if any, in the Union. Major Gwynn's report on the completion of the Wilmington Road, and the recognizance of this Rail Road connection as reported to the Wilmington and Raleigh Rail Road Company, are herewith submitted, marked I.

The third and last mentioned road, will give daily intercourse with the head of Steam Boat navigation on the Roanoke, and through that river with the fertile country which borders on the Albemarle Sound, and what is deemed an interest of great importance with its Fisheries. This section would consume a considerable portion of the productions of the west, and return through this canal at a cheaper rate, much of its own. It will moreover give a choice of markets to a large portion of our citizens, by connecting at Weldon with the Norfolk Road, as well as with Steam Boat navigation on the Roanoke, and if we look forward to the time when the Roanoke Inlet will be re-opened, it will be an important link in the channel of intercourse between those sections of the markets which will spring up in consequence. It is believed this road may be affected at a small expense, by using the embankment of the Roanoke Canal.—The whole distance between Weldon and the nearest point of the Gaston Road is about 12 miles, 8 1-6 of which is occupied by the said embankment, and the surface of it being level, it would probably require but little preparation for receiving the superstructure of the road.

Accompanying this report, is an account of the fiscal operations of the Board marked L., to an examination of which, they invite your attention.

All which is respectfully submitted.

EDWARD B. DUDLEY,

Pres. Ex Officio Board Int. Im.

EXECUTIVE OFFICE, }
30th Nov. 1840. }

B
FIFTH ANNUAL REPORT

OF THE

*President and Directors of the Wilmington and Raleigh Rail
Road Company.*

Since the meeting of stockholders, in April last, the few accounts of contractors, which had not then been received, have been adjusted; and, from the statement A., of the Treasurer, it will be perceived that the cost of the line of rail road and steam boats, up to the 30th of that month, was

\$1,909,755 54

There has since been charged to "construction of road, including foundry, blacksmith's shop, engines, cars, iron materials, &c.,

37,069 81

Statement B. exhibits the affairs of the company from its commencement to the 31st October.

The amount of stock subscribed is, by the State,

\$600,000 00

" individuals,

755,450 00

Total,

\$1,355,450 00

The amount paid,

1,325,887 82

Leaving the balance due (from individuals,)

29,562 18

Deduct for insolvents,

8,824 00

And the balance due, (considered perfectly safe,)

\$20,738 18

The liabilities of the company are, for its bonds sold in England, bearing 5 per ct. int. and payable in 1858,

\$222,666 67

Bonds to the State, payable in 1845 and 1850,

85,000 00

\$307,666 67

Directors Notes at Banks of North Carolina,

77,684 52

Scrip to contractors,

180,162 62

Notes and bills to sundry persons, for iron engines, &c.,

118,567 14

376,414 28

\$684,080 95

| | | |
|--|--------------|--------------|
| Its means are, the capital unsold, | \$144,500 00 | |
| Am't due from stockholders, | 20,738 18 | |
| “ due from General Post Office, | 11,665 57 | |
| “ Petersburg & Portsmouth R. R. Co. and sundry persons, | 2,963 03 | |
| Am't. bills receivable, | 11,922 38 | |
| “ In hands of agents, | 15,597 33 | |
| Estimated income from the line, | 141,955 00 | |
| | <hr/> | \$349,341 49 |

No hope is entertained that the remaining capital can be disposed of at present, unless the State will agree to take it; nor can we rely, with certainty, on the estimated income from the road—that being only conjectural, and liable to fluctuation.

By comparing the number of persons who passed over the line, in the half year of 1839, corresponding to the same period of the present year, we find the increase to be as 5,965 to 5,049, or as 33 to 28 per day. If, then, we assume the number who will travel over it next year, at 40 per day, which will be in about the proportion of the above comparison, it will yield per annum,

| | |
|-----------|--------------|
| | \$292,000 00 |
| The Mail, | 40,000 00 |
| Freights, | 25,000 00 |

| | | |
|--|---------------|--------------------------|
| The income for the year will be, | \$357,000 00 | |
| Deduct expenses of the line per annum, | \$180,000 00. | |
| Interest on \$621,194 at 5 & 6 per cent, | 35,045 00 | |
| | <hr/> | 215,045 00 |
| The nett annual revenue will be, | | <hr/> <hr/> \$141,955 00 |

equal to 10 1-2 per cent. per annum on the capital subscribed.

If to this rule it be objected, that the Rail Road was not completed in 1839, it must still be admitted that it was the most comfortable and expeditious route through the State, and had its full share of patronage. But, as it is admitted by all the southern carriers, and confirmed by the northern Rail Road and Steam Boat Companies, and by reference to the hotels of their cities, that fewer persons have travelled between the north and south the present year, than did in 1839, we have no fears, (with such proof of the increasing popularity of the route,) that our estimates will not be sustained. It is also to be borne in mind, that the Rail Roads through Georgia are extending rapidly, and that, in the course of two years, there will be a continu-

ous line to the Alabama River. Stage facilities are increasing with them; new routes are being established; and the superior line of steam boats, recently placed on the Gulf of Mexico, connecting with the roads of Georgia, the cities from St. Josephs' to New Orleans, will tempt many of the thousands who now go north by the western rivers, to turn this way.

In this view of the subject, we may safely estimate the future revenue in a greater ratio of increase than would be shewn by a reference back; and from the indications of returning confidence, and the revival of business throughout the country, upon a sound basis, it would be no exaggeration to set down the increase, for the next year or two, at fifty per cent. above the present, or at fifty passengers per day.

In relation to delinquent stockholders, the Board have had a delicate part to perform. Among them are some of the most zealous and active friends and promoters of the enterprize; who, from causes not anticipated and avoidable, have been unable to comply with the requisitions for their last instalments.

The pressure of the money crisis, of which we are all sensible, has paralyzed the exertions of those, who, having but little capital, are not unfrequently the most liberal promoters of public improvements.

Our country never enjoyed a time of greater prosperity than when this enterprise was commenced. Its treasury was full, and every branch of business prosperous. It was an epoch in the history of North Carolina. Her citizens were projecting the first important improvement which had been attempted in the State; and the incentive to enterprize was so strong, that some were tempted to subscribe for a larger amount of stock than prudence would, perhaps, have suggested. The reaction in the monetary affairs of the country; the consequent fall in the price of produce and property of every description; and the general stagnation of business to an extent which none had conceived of, have oppressed all classes without distinction.

To the stockholders who have made full payment upon their shares, it seemed due to enforce collection of all; but, from the spirit of forbearance and sympathy for the debtor portion of the community, which has been manifested among individuals, as well as by corporations, the Board felt it to be their duty to forbear. Had a different course been pursued, and collections enforced by distress, it would not only have brought odium on the corporation, but, by obliging the shareholders to part with their stock, to any extent, would have operated unfavorably upon the value of the stock of the company. Neither did the situation of the company seem to require such rigour as

would have compelled the sacrifice of property to 5 or 10 times the value of the deficit.

By the statement C., of the General Agent, it will appear that the gross receipts for the last six months was, \$152,424 84

Deduct expenses, as per abstract, \$89,064 23

Negro hire, not included in do. 6,000 00

95,064 23

And the nett revenue,

\$57,360 61

From this statement it will appear, that if the nett revenue could be divided among the stockholders, the dividend for the half year would be about 4 1-4 per cent. on the capital subscribed; and the amount paid to the State on 6,000 shares, would be \$25,500.

But as the cost of the line, (including real estate, materials on hand, &c.) exceeds by \$684,000, the amount subscribed; the surplus revenue has been applied, and must continue to be appropriated to the gradual extinguishment of the debt, unless a portion of it can be gradually provided for; and unless that is promptly done, it is to be apprehended, that not only will the company be liable to be harrassed with lawsuits, but that some of its creditors will suffer much inconvenience and distress.

It is but just to remark, that as the road has been finished but seven months, its success has realized the sanguine expectations of its shareholders; and that from the computations submitted, the investment must prove to be profitable. Having shewn this to be so, we may confidently appeal to the Legislature for aid.

In less than four years, of great pecuniary embarrassment, we have accomplished a work of greater extent than exists in any other State of the Union, and which would have been creditable to the wealthiest corporations of the country. Its advantages are enjoyed and extending through a large section of the State; and in a national point of view, it stands first.

The pressing demands against the company are for

notes discounted by the Banks of the State \$77,684 52

Scrip to contractors, due in 1840 '41—and first quarter of 1842 180,162 62

Bills and Notes for Iron, Engines, Cars &c. &c. 118,567 14

\$376,414 82

Deduct available means of the company.

Am't due from Gen'l Post Office \$11,665 57

| | | |
|---|-----------|-----------|
| Am't. due from Stockholders | 20,738 00 | |
| “ “ Petersburg & Portsmouth Rail Road Company and others | 2,963 00 | |
| Bills receivable | 11,922 38 | |
| In hands of Agents | 15,597 33 | |
| | <hr/> | 62,886 28 |

And the pressing demands are for \$313,528 00

By the consolidation and postponement of this amount, the State would be as much benefitted as individuals. Upon the bonds of the corporation alone, it will be impossible to borrow money, except upon such terms as no solvent institution ought to submit to.

But if the State will guaranty the bonds of the company for about \$320,000, it can readily be obtained from our own citizens, who will otherwise send their money out of the State to be invested; or, perhaps, on better terms from capitalists abroad. The State, as well as individuals, would then receive regular dividends upon their stock; and, what is equally or more important to the corporation, the value of its stock would be enhanced, and placed beyond the influence and control of brokers and speculators.

If we might apprehend disappointment, in our reasonable hope of succour from the Legislature, what will be the condition of the company? With a capital of \$1,350,000 actually paid in and secured, *and property worth over two millions of dollars*, the nett revenue, instead of being divided among the stockholders, must be kept back and appropriated to the discharge of the debt; which, being accomplished, will raise the actual par value of the stock to \$150, or 50 per cent. above its original price. To the stockjobber it will afford a rich harvest; but it will prove a cruel blight to the original subscriber who, having contributed his money and his credit, at the most critical juncture of the enterprise, must now, with the prospect of a fair remuneration opening before him, incur disappointment and heavy loss, by the necessity which compels him to a premature sale of his stock.

Except 266 shares, (\$26,600,) the stock is owned entirely by the State and its citizens—many of whom, including the widow and the orphan, have so large a portion of their means invested in it, that unless they are allowed some return upon their investment, will be compelled to dispose of their stock, under present circumstances, at a ruinous sacrifice; and we mention it with no invidious intent, that whilst the loss from insolvent subscribers residing in the State, is

less than 1-2 per cent., that from non-residents is 20 1-4 per cent. upon the amount subscribed by them. But, as the stock of insolvents will revert to the company, the loss will be less than the inconvenience to which we are temporarily subjected, by their inability to pay.

It is no less our particular desire than it is our duty, to provide for the payment of scrip issued to contractors. For the speedy completion of the Rail Road, we are indebted to many public spirited gentlemen, residing mostly in the counties of Nash and Edgecomb, who, with no other motive than to expedite the work, with great liberality proposed to take contracts, to be settled for by the scrip of the company. Except upon these terms, its prosecution was impracticable, and further operations must forthwith have ceased. But, relying on the ability of the company to meet its engagements punctually, the balance of the road, (about 58 miles,) was put under contract, to be paid for in part in scrip bearing 6 per cent. interest, and payable one and two years from the date of its issue; and having also consented to furnish all the materials, except iron, their cash advances have been larger than was anticipated. These issues are now becoming due, and will fall due monthly, throughout the present year—the year 1841—and the first quarter of 1842; and we have no other means of meeting them, with other demands against us, than the accruing revenue from the line; which is inadequate.

If a loan can be effected by the company, prudence would suggest the necessity of reserving, annually, a portion of the nett revenue, as a fund for its ultimate or gradual redemption. In that event, it is confidently believed, that 6 per cent. may be paid annually upon the stock, leaving a balance of from 2 to 6 per cent. to be transferred to the sinking fund.

A large addition has been made to the machine-shop, for forges and a foundry; without which we are compelled to send abroad, at great expense and delay, for castings, &c. &c. To a line of the extent and magnitude of this, such an establishment is indispensable; and we are now able to furnish such castings as may be required for steam boats, engines, &c., of a better quality; and at less expense, than have been heretofore procured.

The company now own 14 engines, with an ample supply of passenger and freight cars; which, except one engine, are in good order, or requiring very slight repairs. So that the present motive power is sufficient for the transportation of more than double the number of passengers that have been transported during the past year.

Through the mediation of a committee from the Board, the Portsmouth Rail Road Company, who had recently become proprietors of

the Weldon Toll Bridge, have sold one half of the bridge and rail road from Weldon to Gary's—4-10 to be paid for by the Petersburg Company, and 1-10 by this company; for which the company's bond is to be given for \$10,000, payable three years after the execution of the title deed. A free connection is thereby secured with both the Petersburg and Portsmouth Rail Roads; and the vexatious delays and interruption to which our planters and merchants, as well as travellers, have been subjected, at the Roanoke, will occur no more.

An idle report having obtained currency, that "the effects of the company", or according to another version of it, "the money paid by the State, had been mortgaged in England, in order to obtain a loan there", whether it emanates from ignorance or malice, or from personal views, the Board deem it their duty to contradict, *as totally unfounded*. No lien was given, or other security required for the money borrowed, than *the bonds of the company*. And it is just cause of pride, that they were sold at a higher valuation than has since been obtained or offered for the bonds of several of the States.

In presenting this statement of the affairs of the company, the Board have only to regret their inability to provide funds commensurate with the more pressing demands against it. To that subject, they beg leave to call your particular attention.

Respectfully submitted, by order of the Board,

JAS: OWEN, *Pres't*.

9th November, 1840.

[A]

Statement shewing the cost of the Wilmington and Raleigh Rail Road, including the Steam Boat Line, to 1st May, 1840.

| | |
|---|-----------------------|
| Survey and Location of Road | \$18,879 27 |
| Land damages | 16,262 60 |
| Excavation and Embankment | 346,330 83 |
| Rails, Sills and Knees | 244,039 41 |
| Bridges and Truss Work | 166,961 16 |
| Iron, Spikes, and Splicing Plates | 257,145 38 |
| Superstructure | 127,712 92 |
| Depots, Turn Outs & Water Stations on the Line | 22,166 17 |
| Machine Shop, Ware Houses and Wharf at Wilmington | 56,691 51 |
| Shop &c, at Weldon | 2,911 06 |
| Engines, Coaches and Cars | 170,815 21 |
| Mathematical Instruments | 794 61 |
| Engineering Expenses | 58,867 25 |
| Printing & Advertising for Instalments on Stock &c. | 1,198 50 |
| Office Expenses (Rent, Fuel, Stationary &c.) | 1,584 16 |
| Salaries of Officers and Clerks | 18,795 84 |
| Interest on Loans &c. | 27,191 01 |
| Discount on English Loan | 36,912 91 |
| Contingent Expenses, (Postages, Commissions, Agents, &c.) | 8,930 63 |
| Halifax and Weldon Rail Road | 54,622 14 |
| | <hr/> |
| | \$1,638,812 57 |
| Four Steam Boats and fixtures | 270,942 97 |
| | <hr/> |
| | <u>\$1,909,755 54</u> |

Dr.

The Wilmington and Raleigh Rail Road Company

1840

| | | |
|--------|---|----------------------|
| May 1. | To amount paid for construction of Rail Way and Steam Boat Line, to date as follows, viz: | |
| | Survey and location of road, | \$18,879 27 |
| | Land damages, | 16,262 60 |
| | Excavation and embankment, | 346,330 83 |
| | Rails, sills and knees, | 244,039 41 |
| | Bridges, culverts & truss work, | 166,961 16 |
| | Iron, spikes & splicing plates, | 257,145 38 |
| | Superstructure, | 127,712 92 |
| | Depots, turn outs and water stations, | 22,166 17 |
| | Shop & ware houses, wharf, &c., at Wilmington, | 56,691 51 |
| | Shop, &c. at Weldon, | 2,911 06 |
| | Engines, coaches and cars, | 170,815 21 |
| | Mathematical instruments, | 794 61 |
| | Engineering expenses, pay of engineers, &c., | 58,867 25 |
| | Printing, and adv. instalments, | 1,198 50 |
| | Office expenses, (rent, st'y. &c.) | 1,584 16 |
| | Salaries to officers and clerks, | 18,795 84 |
| | Interest on loans, scrip notes, &c. | 27,191 01 |
| | Discount on English loan, | 36,912 91 |
| | Contingencies, (comp'n. to agents, &c.) | 8,930 63 |
| | Halifax & Weldon Rail Road, | 54,622 14 |
| | Four steam boats, | 270,942 97 |
| | | <hr/> 1,909,755 54 |
| | To amount paid for real estate, (say wharf, in Charleston, lots, &c.) | 20,647 50 |
| | " " " " Repairs of road, | 44,418 21 |
| | " " of bills receivable, (notes due the company for stock, horses, &c.) | 18,228 83 |
| | " " of balances due from P. O. Dep't. and sundry individuals, | 18,512 34 |
| | " " paid contractors on ac't. of work not yet finished, | 2,564 75 |
| | " " of property on hand, (say iron, mathematical instruments, stages, mail carts, harness, &c.) | 11,009 80 |
| | " Bal. in hands of Treasurer this day, | 1,757 31 |
| | | <hr/> \$2,026,894 28 |

P. S. From the date of the above account up to this time, (30th Oct.) there has been paid and charged to construction of Road, about \$40,000.

[B]

in account current with James S. Green, *Treas.*

Cr.

| | | | |
|--------|---|-----------|----------------|
| 1840 | | | |
| May 1. | By am't. received as follows, viz: | | |
| | From State of North Carolina, | | |
| | in full of stock, | \$600,000 | 00 |
| | Individuals in part of subscrip- | | |
| | tions to stock, | 720,736 | 91 |
| | | | 1,320,736 91 |
| | Bonds of Co. sold in England, | 222,666 | 67 |
| | Bonds payable to State of N. C. | 85,000 | 00 |
| | | | 307,666 67 |
| | Bills payable to Banks and individuals, | | 169,746 75 |
| | Scrip payable to contractors and others, | | 174,327 92 |
| | By balance due on contractors' bonds, for ne- | | |
| | gro hire, assumed by Co. and charged to | | |
| | them in settlement of their accounts, | 7,279 | 00 |
| | " Balances due to contractors, | 11,985 | 22 |
| | " Balances due sundry individuals, for iron, | | |
| | spikes, nails, &c. | 25,153 | 55 |
| | " Nett receipts from transportation account | | |
| | Rail Road and Steam Boats, | 9,998 | 26 |
| | | | \$2,026,894 28 |
| | By balance brought down as above, in hands | | |
| | Treasurer, | | \$1,757 31 |

[Errors excepted.]

JAMES S. GREEN, *Treas'r.*

Wilmington, N. C.

| | | | |
|--------|--|----------------|-----------------------|
| 1840 | | | |
| Nov. 1 | To amount paid for construction and outfit of Rail Road and Steam Boat Line to 1st May, 1840, as pr. statement A, | \$1,909,755 54 | |
| | " Paid for construction and outfit of Railroad since 1st May, 1840, to date, | 37,069 81 | 1,946,825 35 |
| | " Paid contractors on acc't of building Culverts and Wood-houses, completing Bridges &c. &c. not yet finished, | | 3,611 94 |
| | " Paid for repairs and alterations of road previous to 1st May, 1840, | | 44,418 21 |
| | " Paid interest on English and State Loans, Notes at Bank, Bonds, Notes, &c. since 1st May last, | | 16,016 98 |
| | " Paid for Real Estate (now owned by company,) say Wharf in Charleston, and Land and Lots not connected with the road, | 20,647 50 | |
| | " Paid for property on hand, say Iron, Stages, Mathematical Instruments, &c. | 12,252 87 | |
| | " paid to Machine Shop acc't for Iron, Steel, &c. not yet worked up, | 665 78 | 33,566 15 |
| | " Paid on acc't Negroes hired for the present year, | | 468 00 |
| | " Balances due from Post Office Department, | 11,665 57 | |
| | " Balances due from Peters-R. R. Company and Portsmouth & Roanoke R. R. Co. and sundry individuals, | 2,963 03 | |
| | Balances in hands of Agents, | 15,597 33 | |
| | Am't paid Contr's on acc't of scrip held by them (due Co.) | 1,396 55 | |
| | Bills Receivable, say notes due Co. for Stock, Horses, &c. | 11,922 38 | |
| | Balance in hands of Tr. this day | 2,315 14 | 45,860 00 |
| | | | <u>\$2,090,766 63</u> |

[B]

n account with J. S. Green, Treasurer.

Cr.

1840

| | | | |
|--------|---|-------------------|-----------------------|
| Nov. 1 | By am't received from State of North Carolina in full of subscription to Capit'l stock, | 600,000 00 | |
| | " From individual stockholders, the whole am't their sub-script's, being \$755,450 00 | | |
| | less remaining unpaid | 29,562 18 | |
| | | <u>725,887 82</u> | 1,325,887 82 |
| | " Bonds of the company sold in England, bearing 5 pr. ct. int., payable 1st Nov. 1858, | 222,666 67 | |
| | " Bonds of the compn'y, payable to the State of N. C. on 1st Jan. 1845, \$60,000 00 and on 1st January, 1850, | 25,000 00 | |
| | | <u>85,000 00</u> | |
| | " Scrip, payable to cont'rs, | 180,162 62 | |
| | " Bills payable to Banks (in Wilmington,) | 77,684 52 | |
| | " Bills payable to sundry individuals at the North for Engines, Coaches, Cars &c. | 81,146 07 | |
| | " Bonds payable for negro hire by contractors and assumed by company, | 6,704 00 | |
| | " Balances due to contract'rs, | 3,947 01 | |
| | " Do. due sundry persons for Iron, Spikes, &c. | 14,873 90 | |
| | " Balances due sundry persons for oil, wood, &c. | 11,216 93 | |
| | " Balances due to Officers and Agents of Company, | 679 23 | |
| | | <u>684,080 95</u> | |
| | " Nett receipts from transportation account, previous to 1st May, | | 9,998 26 |
| | " Nett receipts from R. Road since, | 54,092 67 | |
| | " Nett receipts from S. Boats, | 16,706 93 | |
| | | <u>70,799 60</u> | |
| | | | <u>\$2,090,766 63</u> |

[E. E.]

JAMES S. GREEN, *Treas'r.*

Wilmington, Nov. 1st, 1840.

(C.)

General Return of Receipts and Expenditures of the Wilmington and Raleigh Rail Road Company from the first of May to first November, 1840.

RECEIPTS.

| | STEAM BOATS. | | | | | | | RAIL ROAD. | | | | | | | | | | | | | | | | |
|-----------|--------------|--------|-------|---------|----------|--------|-------------|------------|--------|------|--------|------|---------|--------------------|----------|---------|-----------|--------------|--------|--------|--------|--------|---------|----|
| | Passengers. | | | Amount. | Freight. | Total. | Passengers. | | | | | | Amount. | Transporting Mail. | Tonnage. | Amount. | Total. | Grand Total. | | | | | | |
| | North. | South. | Way. | | | | North. | | South. | | Way. | | | | | | | | | | | | | |
| | | | | | | | Coach. | Car. | Coach. | Car. | Coach. | Car. | | | | | | | | | | | | |
| May | 823 | 306 | 116 | 10,282 | 19 | 21 80 | 835 | 77 | 338 | 3 | 404 | 71 | 10,912 | 81 | 3,541 | 66 | 837,371 | 1,944 | 69 | 12,857 | 50 | 26,703 | 15 | |
| June | 526 | 322 | 247 | 10,027 | 71 | " " | 878 | 40 | 308 | 7 | 284 | 70 | 10,347 | 82 | 3,750 | | 658,520 | 1,558 | 72 | 11,906 | 54 | 25,684 | 25 | |
| July | 667 | 164 | 253 | 9,206 | 29 | " " | 774 | 45 | 301 | 9 | 272 | 99 | 9,200 | 82 | 3,750 | | 894,608 | 1,235 | 97 | 10,436 | 79 | 23,393 | 08 | |
| August | 538 | 184 | 215 | 7,833 | 42 | 34 75 | 237 | 37 | 427 | 37 | 257 | 23 | 8,379 | | 3,750 | | 1,004,793 | 1,455 | 04 | 9,834 | 04 | 21,454 | 22 | |
| September | 261 | 524 | 202 | 8,331 | 07 | 47 05 | 319 | 43 | 446 | 3 | 283 | 30 | 9,638 | 54 | 3,750 | | 1,056,288 | 1,932 | 88 | 11,571 | 42 | 23,699 | 55 | |
| October | 237 | 947 | 130 | 12,382 | 26 | 77 33 | 288 | 2 | 1,720 | 27 | 226 | 39 | 13,141 | 61 | 3,750 | | 750,078 | 2,139 | 39 | 15,281 | " | 31,490 | 59 | |
| | 2,873 | 2,448 | 1,164 | 58,064 | 95 | 180 93 | 58,245 | 89 | 3,520 | 244 | 3,120 | 86 | 1,726 | 323 | 61,620 | 60 | 5,232 | 258 | 10,266 | 69 | 71,887 | 29 | 152,424 | 84 |

EXPENDITURES.

| | RAIL ROAD. | | | | | | | | | | | | | | | | | | | OFFICES. | | | | | Grand Total. | | |
|-----------|----------------------|--------------------|----------|---------------------------|--------------------|--------|---------------------------|---------------|--------|-------------------------------|--------------------------------|----------|----------|------------------------|-------------------------------------|---------------|---------------------------------------|----------------------------------|------------------------------|---------------------------|-------------------------------------|------------------|--------------------------|-----------|--------------|---------------|-----------|
| | Repairs Locomotives. | | | Repairs Coaches and Cars. | | | Expenses Depots. | | | Expense of Transportation. | | | | | | Repairs Road. | | | | Salaries of Officers, &c. | | | | | | | |
| | Pay of workmen. | Cost of materials. | Total. | Pay of Carpenters. | Cost of materials. | Total. | Pay of Agents and Clerks. | Pay of hands. | Total. | Pay of Engineers and Firemen. | Pay of Train Agents and Hands. | Board. | Wood. | Waste, Oil and Tallow. | Mail and articles lost and damaged. | Total. | Pay of superintendence and overseers. | Pay of subsistence and clothing. | Cost of materials and tools. | Total. | Pay of officers and general agents. | Office expenses. | Printing and stationery. | Total. | | Total Amount. | |
| May | 4,031 10 | 105 68 | 264 54 | 367 22 | 95 02 | 95 02 | 110 84 | 887 25 | 101 65 | 189 75 | 487 17 | 48 10 | 1,999 75 | 90 | 637 42 | 343 31 | 1,070 73 | 333 33 | 23 80 | 357 13 | 4,000 66 | 8,031 79 | | | | | |
| June | 7,073 30 | 1,240 95 | 290 16 | 1,531 11 | 248 29 | 248 29 | 192 75 | 192 75 | 264 | 613 45 | 537 60 | 648 62 | 388 65 | 54 61 | 2,606 96 | 55 | 288 53 | 343 53 | 516 67 | 10 30 | 4 32 | 540 29 | 5,462 93 | 12,536 23 | | | |
| July | 8,828 38 | 542 31 | 320 38 | 1,062 69 | 177 55 | 184 68 | 362 23 | 416 67 | 253 83 | 670 50 | 685 50 | 391 97 | 519 80 | 587 87 | 354 19 | 114 61 | 2,653 94 | 634 44 | 882 28 | 509 68 | 2,326 40 | 153 13 | 215 06 | 368 19 | 7,443 95 | 16,372 33 | |
| August | 7,911 16 | 397 62 | " " | 397 62 | 200 92 | 33 38 | 234 30 | 133 33 | 113 35 | 246 68 | 442 | 460 13 | 700 34 | 276 | 210 03 | 46 63 | 2,135 13 | 105 17 | 515 09 | 11 25 | 631 51 | 17 48 | 3,662 72 | 11,573 58 | | | |
| September | 6,081 98 | 322 76 | 1,026 68 | 1,350 44 | 225 39 | 131 11 | 357 50 | 241 27 | 51 80 | 293 07 | 602 94 | 582 09 | 379 35 | 527 92 | 363 21 | 204 30 | 2,659 81 | 90 | 623 44 | 713 44 | 283 34 | 115 69 | 50 | 449 03 | 5,823 29 | 11,905 27 | |
| October | 20,508 19 | 545 42 | 240 92 | 586 34 | 186 21 | 26 38 | 212 59 | 352 45 | 323 98 | 676 43 | 825 00 | 208 39 | 775 75 | 470 25 | 76 82 | 48 34 | 2,404 56 | 374 72 | 1,264 41 | 275 71 | 1,914 84 | 2,333 34 | 108 44 | 2,441 78 | 8,236 54 | 28,744 73 | |
| | 54,434 11 | 2,955 74 | 2,339 68 | 5,295 42 | 1,133 38 | 375 55 | 1,509 93 | 1,447 31 | 742 96 | 2,190 27 | 3,105 27 | 3,143 28 | 3,014 38 | 2,700 41 | 1,989 07 | 516 59 | 14,460 15 | 1,649 33 | 4,211 17 | 1,139 95 | 7,000 45 | 3,466 68 | 437 84 | 269 38 | 4,173 90 | 34,630 12 | 89,064 23 |

RECAPITULATION.

| | RAIL ROAD. | | | | STEAM BOATS. | | | |
|---------------------|------------|-----------|---------------|-------|--------------|-----------|---------------|-------|
| | Receipts. | | Expenditures. | | Receipts. | | Expenditures. | |
| | Amount. | Amount. | Gain. | Loss. | Amount. | Amount. | Gain. | Loss. |
| 9,028 Passengers | 61,620 60 | 34,630 12 | | | | | | |
| Freight | 10,266 69 | | | | | | | |
| Half Mail, (Trans.) | 11,145 83 | | | | | | | |
| 6,485 Passengers | | | | | 58,064 95 | 54,434 11 | | |
| Freight | | | | | 180 93 | | | |
| Half Mail, (Trans.) | | | | | 11,145 83 | | | |
| | 83,033 12 | 34,630 12 | 48,403 00 | | 69,391 71 | 54,434 11 | 14,957 60 | |

ALEX. McRAE, General Agent.

Date
 Name
 Age
 Sex
 Race
 Religion

| Name | Age | Sex | Race | Religion | Monthly Income | |
|------|-----|-----|------|----------|----------------|------|
| | | | | | From | To |
| John | 40 | M | W | C | 100 | 150 |
| John | 35 | M | W | C | 120 | 180 |
| John | 30 | M | W | C | 140 | 200 |
| John | 25 | M | W | C | 160 | 220 |
| John | 20 | M | W | C | 180 | 240 |
| John | 15 | M | W | C | 200 | 260 |
| John | 10 | M | W | C | 220 | 280 |
| John | 5 | M | W | C | 240 | 300 |
| John | 0 | M | W | C | 260 | 320 |
| John | 0 | M | W | C | 280 | 340 |
| John | 0 | M | W | C | 300 | 360 |
| John | 0 | M | W | C | 320 | 380 |
| John | 0 | M | W | C | 340 | 400 |
| John | 0 | M | W | C | 360 | 420 |
| John | 0 | M | W | C | 380 | 440 |
| John | 0 | M | W | C | 400 | 460 |
| John | 0 | M | W | C | 420 | 480 |
| John | 0 | M | W | C | 440 | 500 |
| John | 0 | M | W | C | 460 | 520 |
| John | 0 | M | W | C | 480 | 540 |
| John | 0 | M | W | C | 500 | 560 |
| John | 0 | M | W | C | 520 | 580 |
| John | 0 | M | W | C | 540 | 600 |
| John | 0 | M | W | C | 560 | 620 |
| John | 0 | M | W | C | 580 | 640 |
| John | 0 | M | W | C | 600 | 660 |
| John | 0 | M | W | C | 620 | 680 |
| John | 0 | M | W | C | 640 | 700 |
| John | 0 | M | W | C | 660 | 720 |
| John | 0 | M | W | C | 680 | 740 |
| John | 0 | M | W | C | 700 | 760 |
| John | 0 | M | W | C | 720 | 780 |
| John | 0 | M | W | C | 740 | 800 |
| John | 0 | M | W | C | 760 | 820 |
| John | 0 | M | W | C | 780 | 840 |
| John | 0 | M | W | C | 800 | 860 |
| John | 0 | M | W | C | 820 | 880 |
| John | 0 | M | W | C | 840 | 900 |
| John | 0 | M | W | C | 860 | 920 |
| John | 0 | M | W | C | 880 | 940 |
| John | 0 | M | W | C | 900 | 960 |
| John | 0 | M | W | C | 920 | 980 |
| John | 0 | M | W | C | 940 | 1000 |

00000700 00
 00000700 00

JAMES E. GILBERT, Street

Washington, D.C. 20540

C

WELDON, October 31st, 1840.

SIR:

I have the honor of forwarding to you herewith, the Annual Report of the President and Directors of the Roanoke Navigation Company for the last year, and a tabular statement showing the condition of the said Company, on the first day of October, 1839.

Very respectfully, your obedient servant,

A. JOYNER.

the Pres't. Board Int. Imp.

[C CONTINUED.]

ANNUAL REPORT

Of the President and Directors of the Roanoke Navigation Company.

The President and Directors of the Roanoke Navigation Company respectfully submit the following Report to the Stockholders, in general meeting assembled:

Since the period of your last meeting, little has transpired claiming especial attention. The means of the company have, as usual, been employed, during the past season, in refitting the dams, and otherwise improving the sluices on the Dan, Staunton and Roanoke proper. Some work has also been done on Country Line Creek, at Milton; and the access to that important village, heretofore obstructed, is now rendered safe and easy.

Your Board of Directors, looking forward to the period when improvements better suited to the wants of the rapidly growing trade of the Roanoke, must, and we confidently believe will be effected, have not thought it expedient to do more, on the present system, than to render the sluices already established, safe and easy of passage for batteaux. The excessive and unprecedented drought of the past summer and fall, almost suspending the navigation for a period of near three months, has materially abridged the amount of tolls, which would otherwise have been received during the fiscal year just closed. Under all the disadvantages, however, of this state of things, it is gratifying to be able to state, that the sum in the hands of the Treasurer will afford a dividend nearly equal to that declared at the last annual meeting; and, should no unforeseen difficulties interpose, without hazard little in giving it as our opinion, that the profits of the ensuing year will give a dividend of 3 1-2 to 4 per cent. on the capital stock of the Company.

We beg leave, in conclusion, to refer this meeting to the report of the Treasurer, herewith submitted, for such further and more minute information as may be desired in regard to the finances of the Company; and respectfully to recommend that a dividend of 2 per cent. be now declared out of the profits of the past year.

SAM'L. PANNILL, *Pres't.*

Nov. 4, 1839.

State of the Roanoke Nav. Company on the 4th day of October, 1839.

| | | |
|---|--------------|--------------|
| Capital Stock subscribed by individuals, | \$282,000 00 | |
| by State of Virginia, | 80,000 00 | |
| by State of N. Carolina, | 50,000 00 | |
| | \$412,000 00 | |
| Negroes sold, | 9,628 55 | |
| Premium on bills of exchange, | 345 68 | |
| Received for discount on North Carolina Bank notes, | 14 15 | |
| Profit on Bank Stock, | 4,719 50 | |
| Interest collected from Stockholders, | 8,278 42 | |
| Overpaid by Stockholders, | 76 25 | |
| Dividend fund, | 8,761 55 | |
| Due to St'ckh'ld's on account of Dividends, | 7,936 75 | |
| Debts due from the Company, | 845 00 | |
| Due from Stockholders on account of Subscriptions, | | 12,429 14 |
| Debts due the Company other than for subscriptions, | | 477 92 |
| Expended in the work from its commencement, after deducting hire of negroes, articles sold, and money refunded, | | 126,519 31 |
| 25 Negroes estimated to be worth, | | 12,500 00 |
| Other property, consisting of boats, tools, &c. | | 600 00 |
| 30 Shares of 6 per cent. Stock issued by State of Virginia, | | 3,000 00 |
| Cash on hand, | | 9,866 22 |
| <i>Statement of Receipts and Expenditures within the year.</i> | \$452,605 85 | \$465,392 59 |
| Balance of money on hand per last annual report, | 11,425 41 | |
| Tolls collected from 1st Nov. 1838, to 1st Oct. 1839, | 8,664 55 | |
| Water Rents, | 605 00 | |
| Hire of negroes, | 842 71 | |
| Negroes sold during the year, | 2,584 97 | |
| Lard sold, | 31 02 | |
| <i>Payments and Disbursements during the year.</i> | | 24,153 66 |
| For improvements and repairs, | 2,141 48 | |
| “ expenses of Board of Directors, | 125 27 | |
| “ Salary of Treasurer and Secretary, | 550 00 | |
| “ Commissions to toll collectors, | 445 81 | |
| For expenses of Commissioners attending General Assembly of Va. Balance due, | 128 63 | |
| For payments to St'ckh'ld's on ac't. divid'ds, | 7,896 25 | |
| “ 30 Shares of 6 per cent. st'ck of State of Va, | 3,000 00 | |
| “ Balance of money on hand, | 9,866 22 | |
| | | \$24,153 66 |

Nov. 4, 1839.

A JOYNER, *Treas.*

[C CONTINUED.]

WELDON, October 31st, 1840.

SIR:

I have the honor of herewith transmitting to you the Annual Report of the President and Directors of the Roanoke Navigation Company, and a statement exhibiting the condition of the said Company, on the first day of the present month.

I am, very respectfully, your obedient servant,

A. JOYNER.

To the Pres't. of the Board of Int. Imp. Raleigh, N. C.

[C CONTINUED.]

ANNUAL REPORT

Of the President and Directors of the Roanoke Navigation Company.

The President and Directors of the Roanoke Navigation Company beg leave to submit the following Report to the Stockholders in general meeting assembled:

Since your last meeting, the Board is not aware of any occurrence claiming your especial attention. The means of the Company, with the labor of its hands, have been devoted to clearing out the Roanoke River, with its branches, and the repairs of the locks at Danville. While the state of the river, owing to the quantity of rain which has fallen during the summer, has been unfavorable for improvements, it is nevertheless believed that all serious obstacles to the navigation have been removed, and that the passage for batteaux is safe and easy.

Your Board of Directors regret exceedingly that their anticipations, expressed in their last Annual Report, in relation to a dividend this year, have not been entirely realized. While the quantity of tobacco brought down the river during the year, shews a gratifying increase, there has been a considerable falling off in the article of flour, and in the amount of goods going up the river. It is believed, by your Board, that the increase of the tariff of tolls on the Petersburg and Portsmouth Rail Roads, has acted injuriously on the trade of the river; and the attention of the Stockholders is earnestly directed to the subject, that some means may be resorted to to counteract the injurious tendency of such an increase. Notwithstanding these drawbacks, the receipts from tolls are sufficient to authorise a dividend among the Stockholders of 2 1-2 per cent., which is the largest annual dividend ever yet declared, by 1-4 of 1 per cent.; the effect of which has been to make an advance in the market value of the stock. For a more particular account of the affairs of the Company, the Board would refer the meeting to the Report of their Treasurer herewith submitted; and, in conclusion, would respectfully recommend that a dividend of 2 1-2 per cent. be now declared out of the profits of the last year.

SAMUEL PANNILL, *Pres't.*

Weldon, October 27, 1840.

[C CONTINUED.]

State of the Roanoke Nav. Company on the 30th day of September 1840.

| | | |
|---|--------------|--------------|
| Capital Stock. 4120 shares of \$100 each. | | |
| “ Subscribed by Individuals, | \$282,000 00 | |
| “ “ by State of Va. | 80,000 00 | |
| “ “ by State of N. Ca. | 50,000 00 | |
| | <hr/> | |
| | \$412,000 00 | |
| Sales of Negroes, | 9,628 55 | |
| Premium on Bills of exchange, | 345 68 | |
| Discount on North Carolina Bank notes, | 14 15 | |
| Profit on Bank Stock, | 4,719 50 | |
| Interest collected from Stockholders, | 8,278 42 | |
| Overpaid by Stockholders, | 51 80 | |
| Debts due from the Company, | 731 67 | |
| Receipts for tolls and water rents from commencement of work to this day, | 65,354 41 | |
| Dividends remaining unpaid, | 8,103 75 | |
| Due from Stockholders on ac't of subscription, | | \$12,404 14 |
| Debts due the Company other than for subscriptions, | | 959 00 |
| 30 Shares of 6 per ct. stock, issued by State of Virginia, | | 3,000 00 |
| 25 negroes and other property estimated to be worth | | 12,000 00 |
| Expended in the work from commencement to this day, | | 427,615 29 |
| Dividends declared, | | 54,880 50 |
| Cash on hand, | | 11,746 38 |
| | <hr/> | <hr/> |
| | \$509,227 93 | \$522,605 31 |
| | <hr/> | <hr/> |
| <i>Statement of Receipts and Expenditures within the year.</i> | | |
| Balance of money on hand per last annual report, | 9,866 22 | |
| Tolls and water rents, | 12,190 22 | |
| Interest on 30 Shares of 6 per cent. stock, | 184 29 | |
| Debts collected, and hire of Negroes, | 511 89 | |
| | <hr/> | 22,752 62 |
| <i>Deduct Disbursements.</i> | | |
| For improvements and repairs, | \$1,874 88 | |
| “ Salary of Treasurer and Secretary, | 550 00 | |
| “ Expenses of Board of Directors, | 141 24 | |
| “ Expenses collecting Tolls, | 584 67 | |
| “ Dividends paid | 7,831 00 | |
| Refunded to Executor of Thos. H. Clark, | 24 45 | |
| | <hr/> | 11,006 24 |
| | | <hr/> |
| Balance of money on hand, | | \$11,746 38 |
| | | <hr/> |

A. JOYNER, *Treas.*

Weldon, Sept. 30, 1840.

D

FAYETTEVILLE, October 20th, 1840.

C. C. BATTLE, Esq., Sec'y. &c.

Sir: Agreeably to your request, I enclose a copy of the *Treasurer's Report* to the Stockholders of the Cape Fear Navigation Company—also, a General Statement of the accounts of the Company.

The President made a *verbal* Report to the Stockholders; which, of course, I cannot give, there having been no record made of it, except simply a notice of the fact.

This being intended for the Annual Report required by law, for further particulars, (if required,) I refer to former reports, deeming it unnecessary to transcribe them here.

I am, respectfully, your obedient servant,

GEO: McNEILL, Agent, &c.

[D CONTINUED.]

R E P O R T

Of the Treasurer of the Cape Fear Navigation Company, to the Stockholders, in General Meeting, June, 1840.

| | | |
|------------------------------------|------------|------------|
| Cash on hand last general meeting, | \$2,115 57 | |
| “ Receipts during the past year, | 3,635 11 | |
| Making, | ————— | \$5,750 68 |

DISBURSED.

| | | |
|---|------------|------------------------|
| Cash paid dividends, | \$1,537 00 | |
| “ “ Cape Fear River, (below Fayetteville,) removing obstructions, | 2,027 85 | |
| “ “ Repair Boats, | 400 50 | |
| “ “ Canal at and near Fayetteville, | 305 45 | |
| “ “ Contingent expenses, | 574 20 | |
| | ————— | 4,845 00 |
| Leaving a balance of | | <u><u>\$905 68</u></u> |

The tolls for the year ending 1st May last, amount to the sum of \$3,868 60, as follows:

| | | |
|------------------------------|------------|--------------------------|
| Henrietta Steam Co. | \$2,033 60 | |
| D. O'Hanlan, | 1,826 25 | |
| E. W. Wilkings, (Lady Lake,) | 8 75 | |
| | ————— | <u><u>\$3,868 60</u></u> |

Being \$1 73-100 less than the tolls the year previous; whilst the tolls on freight down are \$270 53-100 more, the tolls on *up* freight are \$271 41-100 less than the previous year.

The statement marked A, shews a comparative view of the articles transported on the river for the last ten years, and the tolls collected for seventeen years.

The following is a statement of expenditures on the river for the last ten years, (being part of tolls received,) viz:

| | | |
|------------------|-------|------------|
| Year ending May, | 1831, | \$1,608 23 |
| “ “ “ | 1832, | 968 29 |
| “ “ “ | 1833, | 1,527 20 |
| “ “ “ | 1834, | 1,538 02 |
| “ “ “ | 1835, | 1,708 74 |
| “ “ “ | 1836, | 1,525 90 |
| “ “ “ | 1837, | 854 82 |

[D CONTINUED.]

| | | | | |
|---|---|---|-------|--------------------|
| " | " | " | 1838, | 1,884 99 |
| " | " | " | 1839, | 1,245 97 |
| " | " | " | 1840, | 2,027 85 |
| | | | | <hr/> |
| | | | | <u>\$14,890 01</u> |

Average \$1,489 annually.

The expenditures on the river the past year were unusually large; the extremely low state of the river, which continued until December, facilitated operations, and rendered an extra expenditure indispensable. A gang of hands were kept at work on the river from June until November. A reference to the journal kept by the Superintendent, of each day's work, will show they removed from the channel of the river 1,849 logs and trees, and 118 stumps of trees, besides other obstructions. It is believed that the river is now in better condition than usual, and that but little work will be required this year. There must, however, be an extra expenditure in rebuilding the large Boat, which will cost \$800 to \$1000.

The Company are released from any future expenditures on account of the canal and bridges in the town of Fayetteville—the annual expenditure on which has been from \$100 to \$300.

The Company owe nothing except on account of dividends unclaimed, which amount to \$4,530 64; a considerable part of which will not probably be called for soon, if at all.

(Signed,)

GEO: McNEILL, *Treas'r.*

[D CONTINUED.]

(A)

Statement of the Tolls collected from the year 1822 to 1840, with the Articles transported on the River for the years 1831 to 1840, inclusive, (ending 1st May.)

| May 1st. | Cotton | Flour | Tob'g. | Spirits. | Grain. | Seed | Am't freight Sundries. | Down Am't Tolls. | | Salt. | Merch'd H'nds & Pipes. | Merch'd | Merch'd | Iron. | Lime. | Freight. Sundries. | Up Am't Tolls. | | TOLLS Aggr. Am't. |
|-----------|--------|----------|--------|----------|---------|--------|---------------------------|---------------------|----------------------|---------|------------------------------|----------|----------|---------|--------|-----------------------|-------------------|----------------------|----------------------|
| Date. | Bales. | Barr'ls. | H'nds. | Bbl's | Bush'ls | Casks. | Dolls. Cts. | Dolls. Cts. | | Bush'ls | | Barrels. | Tierces. | Tons. | Casks. | Dolls. Cts. | Dolls. Cts. | | Dolls. Ct. |
| 1822 | | | | | | | | | no returns | | | | | | | | | no returns | 3295 0 |
| 1823- '24 | | | | | | | | | " | | | | | | | | | " | 6124 8 |
| 1825- '26 | | | | | | | | | " | | | | | | | | | " | 7399 0 |
| 1827 | | | | | | | | | " | | | | | | | | | " | 3340 0 |
| 1828 | | | | | | | | | " | | | | | | | | | " | 2705 3 |
| 1829 | | | | | | | | | " | | | | | | | | | " | 4265 6 |
| 1830 | | | | | | | | | " | | | | | | | | | " | 3955 4 |
| 1831 | 14248 | 10989 | 526 | 16 | 4350 | 1451 | 424 84 | 2042 18 | | 64364 | 2195 | 3191 | 160 | 240 1/2 | 251 | 11449 68 | 2573 82 | | 4610 3 |
| 1832 | 12181 | 9280 | 410 | 33 | 12602 | 1978 | 359 35 | 1880 46 | | 44930 | 2114 | 3205 | 252 | 194 | 2247 | 11655 70 | 2469 91 | | 4350 7 |
| 1833 | | | | | | | | | returns not complete | | | | | | | | | returns not complete | 3993 3 |
| 1834 | 13195 | 2489 | 138 | 118 | 147 | 1858 | 498 36 | 1612 53 | | 80399 | 2284 | 3495 | 373 | 349 | 1351 | 15736 76 | 3297 82 | | 4910 3 |
| 1835 | 14731 | 1567 | 252 | 16 | 325 | 1714 | 352 20 | 1726 45 | | 52774 | 2892 | 4790 | 338 | 315 1/2 | 1838 | 13188 81 | 2973 08 | | 4699 3 |
| 1836 | 13292 | 2088 | 429 | 114 | 3445 | 1773 | 562 80 | 1698 21 | | 43944 | 2061 | 4196 | 435 | 351 | 1132 | 16905 75 | 3027 84 | | 4726 3 |
| 1837 | 7967 | 2579 | 282 | 108 | 1744 | 1403 | 660 57 | 1117 50 | | 48864 | 2174 | 4111 | 618 | 264 1/2 | 1627 | 16412 59 | 3069 68 | | 4187 3 |
| 1838 | 8938 | 4625 | 255 | 35 | 4981 | 967 | 552 01 | 1245 53 | | 41737 | 2111 | 2747 | 374 | 318 1/2 | 569 | 8235 45 | 2035 71 | | 3281 3 |
| 1839 | 4279 | 7654 | 118 | 2 | 6229 | 1639 | 977 66 | 955 98 | | 60309 | 2273 | 3225 | 441 | 356 1/2 | 1856 | 11629 09 | 3093 72 | | 4089 2 |
| 1840 | | 11261 | 629 | 118 | 3137 | 1414 | 431 97 | 1226 51 | | 64048 | 1732 | 2109 | 466 | 250 1/2 | 1168 | 14883 32 | 2822 31 | | 4048 2 |
| Cotton | 4830 | | | | | | | | | | | | | | | | | | |
| Yarn. | 2009 | | | | | | | | | | | | | | | | | | |

Fayetteville, October, 1840.

GEO. McNEILL, Agent, &c

[D CONTINUED.]

A general Statement of the accounts of the Cape Fear Navigation Comp'y.

COMPANY DR.

| | |
|---|--------------|
| To Capital Stock, 1843 1-4 shares, | \$92,162 50 |
| " Profit & Loss, (including reduction stock,) | 69,626 36 |
| " Dividend Fund, | 4,971 40 |
| " Tolls on Cape Fear River, | 3,868 60 |
| " Dividends (unclaimed,) | 4,530 64 |
| " Interest acc't., | 491 26 |
| " Individual acc't. | 23 75 |
| | <hr/> |
| | \$175,674 51 |

COMPANY CR.

| | |
|--|--------------|
| By Real Estate, | \$883 40 |
| " Canal at and near Fayetteville, | 59,933 63 |
| " Canal " " Haywood, | 44,028 25 |
| " Cape Fear River, (below Fayetteville,) | 53,362 67 |
| " Cape Fear River, (above ") | 750 02 |
| " State of North Carolina, | 10,585 09 |
| " Contingent expenses, | 574 20 |
| " Bonds and Notes, | 1,813 33 |
| " Open acc't. | 2,838 24 |
| " Cash on hand, | 905 68 |
| | <hr/> |
| | \$175,674 51 |

GEO: McNEILL, Agent, &c.

Fayetteville, June 8, 1840.

E

BUNCOMBE TURNPIKE COMPANY.

ASHEVILLE, Nov. 7th, 1840.

SIR:

In obedience to the request of the Board of Internal Improvements, I beg leave to submit to you, as President *ex officio*, of the Board, a Report of the condition of the Buncombe Turnpike Company.

| | |
|---|------------|
| There has been received, from the Gate-Keepers, for tolls collected from the 1st of October, 1839, to the 1st of October, 1840, | \$6,077 55 |
| From David Vance, 2nd instalment, for the purchase of land, | 433 33 |

| | |
|-----------------------------|-------------------|
| Making the aggregate sum of | <u>\$6,510 88</u> |
|-----------------------------|-------------------|

Which has been appropriated as follows:

| | |
|---|----------|
| In payment of Treasurer and Secretary, | \$150 00 |
| In payment of the Directory, | 420 00 |
| In payment of Gate-Keepers, | 667 09 |
| In payment of 7 per cent., declared at Oct. 1840, | 2,100 00 |
| In payment of overseers, hire of hands, mules, cart, and right of way, | 3,658 72 |

| | |
|-------------------|-------------------|
| Making the sum of | <u>\$6,995 81</u> |
|-------------------|-------------------|

| | |
|--|-----------------|
| By which statement it will be seen the expenditures have exceeded the receipts, by the sum of | <u>\$484 92</u> |
|--|-----------------|

The receipts for the last year have been less than usual, in consequence of the damage to the Road occasioned by high waters. The Road was so much injured that the Company were compelled to throw open the gate on the north end of the Road, thirty-five days; while the expenses of the Company have been much greater.

All of which is most respectfully submitted,

M. PATTON, *President*.

Pres't. of the Board of Int. Imp.

F

FAYETTEVILLE AND WESTERN RAIL ROAD.

List of balances due by the Fayetteville & Western Rail Road Company, due and unpaid on the 14th November, 1840; examined and passed by the President and Directors of said Company:

| | |
|---|------------|
| To sundry persons, | \$1,802 63 |
| “ Engineer’s accounts for survey, (balance of) | 4,271 16 |
| “ To sundry persons loaned, | 227 00 |
| “ E. J. Hale, for stationery, printing, &c. | 92 36 |
| “ Hall and Johnson, balance of account, | 27 90 |
| “ P. P. Johnson, horse hire, | 7 50 |
| “ John Huske and Son, balance of account, | 27 60 |
| “ Duncan McNeill, do | 27 00 |
| “ C. T. Gardiner, hire of a horse and gig, | 7 87 |
| “ L. S. Belden, acc’t. | 6 75 |
| “ E. L. Winslow, acc’t. | 83 52 |
| “ Wm. G. McNeill, Chief Eng., for all his services, | 1,000 00 |
| | <hr/> |
| | \$7,581 28 |

[E. E.]

D. ANDERSON, *Book keeper.*

Fayetteville, Nov. 14, 1840.

| | |
|------------------------------------|--------------|
| Amount of Stock subscribed, | \$207,300 00 |
| Amount due by subscribers, | 202,535 50 |
| | <hr/> |
| Amount paid by subscribers, | 4,764 50 |
| Amount contributed by individuals, | 524 94 |
| | <hr/> |
| | \$5,289 44 |

D. ANDERSON, *Book keeper.*

Total cost of the survey of the Fayetteville and Western Rail Road,

\$13,722 55

D. ANDERSON, *Book keeper.*

| | |
|-------------------|--|
| 7,581 29 | } No salaries embraced in those items. |
| 5,289 44 | |
| <hr/> \$12,860 73 | |

C. P. MALLETT.

November 26, 1840.

II

RALEIGH AND GASTON RAIL ROAD OFFICE, }
November 25th, 1840. }

To His Excellency Edward B. Dudley,

President ex officio of the Board of Internal Improvements.

SIR:

I have the honor herein to enclose you a condensed Report and Statement, embracing some information in relation to the cost of construction, receipts and expenditures, profits and present condition of the Raleigh and Gaston Rail Road Company, which you will be pleased to lay before the Board of Internal Improvements; and which I hope will not prove unacceptable.

I am, very respectfully, your obedient servant,

S. F. PATTERSON,

Pres't. R. & G. R. R Cy.

[H CONTINUED]

REPORT

Of the Raleigh and Gaston Rail Road Company.

*To the Board of Internal Improvements
of the State of North Carolina.*

GENTLEMEN:

Believing that you feel a deep interest in every enterprise calculated to improve the internal condition of the State, and advance its prosperity, the undersigned avails himself of the present occasion, (although not required so to do by any legislative enactment,) to communicate to your honorable Board all the information in his power in relation to the cost of construction, receipts and expenditures, profits and present condition of the Raleigh and Gaston Rail Road Company; feeling confident, as he does, that the magnitude and importance of the work—its capabilities to promote the agricultural and commercial interests of a large section of the State—connected with the fact, that the State may now be said to have an *indirect* interest in it, will entitle the work to your most favorable consideration.

The entire cost of construction, including every item of expenditure properly chargeable to that head, so far as the same has been liquidated and settled, amounts to the sum of \$1,286,639 43. To this may be added the cost of the engines, cars and other fixtures, necessary to put the road in operation, amounting to \$56,741 01, making an aggregate cost, in preparing the road for its intended purposes, of \$1,343,380 44. By reference to the accompanying statement, marked A., the several items composing the total cost will appear.

| | | | |
|-----------------------------------|-----------|-----------|------|
| The road was opened to Littleton, | 10 miles, | in May, | 1838 |
| “ Macon, | 20 “ | “ June, | “ |
| “ Ridgway, | 30 “ | “ July, | “ |
| “ Henderson, | 42½ “ | “ Sept’r. | “ |
| “ Franklin, | 58 “ | “ Nov’r. | 1839 |
| “ Wake Forest, | 70 “ | “ March, | 1840 |
| “ Raleigh, | 85 “ | “ April, | “ |

From the time the first section of the road was opened, up to the 1st of November, 1840, the entire receipts amount to the sum of \$113,867 53. Estimating the time that the various sections of the road have been in operation, and averaging it by the whole length of the road, the amount received will be equal to \$6,698 09 per month

for the whole line. It may here be remarked, that the period of time which has elapsed from the time the whole line of road was opened, up to the 1st November, embraces that portion of the year when there is the least transportation of produce and merchandize; so that it may fairly be inferred, from the data we now have, that the remaining months of the year will yield an amount greatly beyond the average here given. The expenditures during the period above mentioned, necessarily and properly incurred in carrying on the transportation, amount to \$44,638 60; which, deducted from the receipts, will leave a clear profit of \$69,228 93, which has been applied to the payment of the debts of the company and the interest on the loan guaranteed by the State.

The present condition of the Company, however, is an embarrassed one. The amount of capital originally fixed upon was much too small; and the work, like most other public improvements, exceeded greatly the estimate. The difference between the amount subscribed and the actual cost of construction, has been made up *in part* by means obtained on the bonds of the company, guaranteed by the State, as authorized by an act of the Legislature at its last session. The sum thus authorized to be raised, however, fell short of meeting the deficiency; and a considerable amount of debt yet remains unpaid. The company have no means to meet this balance, except as they derive them from the road itself; and these, unfortunately, do not enable them to discharge the debt as fast as their creditors desire, nor as they themselves wish. Of the sum of \$500,000 00, obtained as before mentioned, on the bonds of the company, guaranteed by the State, about \$100,000 00 was applied to the payment of debts then existing against the company, and the balance, \$400,000 00, was expended in completing the road, building depots, ware houses, water stations, and in the purchase of engines, &c. Should it, therefore, be the pleasure of the Legislature again to extend its helping hand, to relieve the company from its present temporary embarrassment, the State will be more than indemnified, for any additional risk she may incur, by the increased value given to the road, by the application of the aid heretofore so liberally granted.

All which is most respectfully submitted,

S. F. PATTERSON,

Pres't. R. & G. R. R. Cy.

November 25th, 1840.

[H CONTINUED.]

[A]

COST OF RALEIGH & GASTON RAIL ROAD.

| | |
|------------------------------|----------------|
| Iron, &c., | \$127,690 64 |
| Gaston Bridge, | 64,664 58 |
| Cedar Creek Bridge, | 24,004 18 |
| Crabtree " | 10,987 69 |
| Neuse River " | 16,015 34 |
| Tar River " | 41,990 83 |
| Masonry, | 34,470 97 |
| E. & Embankment, | 577,880 12 |
| Depots, Water Stations, &c., | 36,703 75 |
| Superstructure, | 233,600 57 |
| Surveys, | 56,926 03 |
| Salaries, | 26,774 57 |
| Horses, | 398 00 |
| Contingent expenses, | 6,362 86 |
| Profit and loss, | 28,169 30 |
| Cars, &c., | 56,741 01 |
| | <hr/> |
| | \$1,343,380 44 |
| | <hr/> |

S. W. WHITING, *Treas'r.*

REPORT

ON THE COMPLETION OF THE

WILMINGTON & RALEIGH RAIL ROAD,

Submitted to the Company in General Meeting, April 15th, 1840.

BY MAJOR WALTER GWYNN, CHIEF ENGINEER.

*To the President and Directors of the**Wilmington and Raleigh Rail Road Company:*

GENTLEMEN:

Your familiarity with the condition and prospects of the work, from your own personal observation, and from the statements which, during its progress, I have made to you, would seem to render any communication from me unnecessary; and until my attention was called, a few days since, to a resolution of the Stockholders at their last annual meeting, anticipating a report from me on the completion of the rail road, it was my intention, as heretofore, to point to the report of your President, whose statement of the progress of the work, with the means and resources at command, would lead to a direct inference of a proper appliance of them on my part. But, understanding he does not intend to hand in a report, I shall proceed, as concisely as may be, to embody such facts as seem to me most interesting and worthy of being borne in mind.

On the 14th March, 1836, the company was organized; on the 15th I was appointed Engineer of the rail road, and immediately entered on the duties thereof. On the 15th August I reported the results of the reconnoissances and preliminary surveys; and on the 25th day of October the work was commenced, on the north bank of Smith's creek, with no other ceremony than that of the removal of the first shovel full of earth by the present patriotic Chief Magistrate of the State, Gov. Dudley, to whose liberal patronage the road is so largely indebted for its success, and whose enlightened views and policy have had so great an influence in arousing the State to her true interests. On the following October, the cars were running over 13 miles of the

[I CONTINUED.]

road; on the 7th March, 1846, the last spike was driven; and on the 9th, the locomotive New Hanover passed through the line to Weldon; the Brunswick from the Roanoke to Wilmington; and the road was formally opened. Thus, in little less than three and a half years, during a period of unparalleled financial embarrassment, this great work has been completed—a fact sufficient in itself to establish the expediency of the undertaking, and to exhibit the confidence of the public.

North Carolina has accomplished more in a given time, and with smaller means, than any other State in the Union. She can boast of the longest rail road in the world, constructed under one charter. From Weldon to Wilmington the distance is 161 1-2 miles—and thence to Charleston 160 miles steamboat communication. The whole cost of the improvement, including locomotives, coaches, cars, steamboats, work-shops, depots and wharves, complete for a daily line the most expeditious in the world of the same character and extent, (as the Postmaster General, from the regularity with which the great mail has been transported, can testify,) falls short of two millions of dollars. And, from its freeness from curvature—one straight line being 48 miles—the proximity of its grades to a level, and its consequent safe and economical application of locomotive power, is unsurpassed. Another, among the many important and favorable features of the line, which, but for the fear of prolixity, and the charge of invidious and overstrained comparison, I could state, is the superior cheapness and facility of repairs, owing to the low embankments and shallow cuts being less liable to abrasion from rain, and slips from frost. Such are some of the leading and characteristic properties of the rail road we have just completed, and which place it high on the scale of adaptation to the cheap application of locomotive power, combining also the important desideratum of *minimum* cost of repairs.

Profiting by these advantages, developed as it were by the construction of the work, we are led to the consideration of the still more arduous task of *working* the road; which comprehends more, were we to go into detail, than could properly be brought within the compass of this report; and which is a subject that, although every body professes to know a great deal about it, is least understood of any other in connection with rail ways.

I will now introduce a few plain particulars relative to the management (or *working*) of rail roads, after their completion, and to the system of responsibility and accountability which ought to be enforced. To some they may seem very common place; but, nevertheless, I

deem them of such indispensable importance to successful operations, that I must not omit to spread them out.

The repairs of the rail road.—Under this head is comprised the purchase of rails, sills, knees, spikes, &c.—the renewal of all these—the levelling of the rails—the mending and filling up of the abrasions and washes in the embankments and slopes of the excavations—the cleaning out and opening of the ditches—the contracting for labor and provisions—collecting and arranging under different heads a monthly exhibit of the materials on hand, the quantity consumed, the cost and expenditures, the amount of labour rendered, and the particular objects to which directed. The locomotive expenditures should exhibit the number of miles travelled by each engine; the wages of Engineers, machinists, blacksmiths, firemen and laborers; the cost of materials, waste, tools, wood, oil, tallow, brass, copper, iron—the repairs, and the nature thereof, which should also be shown in the car and coach repairs.

In the transportation department, the expenditures should show the pay of assistants, clerks, train agents, train hands; the cost of stationery, advertising, printing, losses, &c.; and so on in relation to the expenditures on account of the steam boat line. Every item should be distinctly and clearly specified. Then follows the classifying and arranging of them under appropriate heads, so as to exhibit the receipts and expenditures in each department; and, finally, the income should be brought down and laid before the Board on a balance sheet. At first view these details may seem to be onerous, and to involve an expenditure and consumption of time, without any corresponding advantage; but, with printed forms, these multifarious and apparently complicated particulars are recorded with more facility and with less reflection than is required to make an entry in a merchant's day-book—simply a few figures in the proper column, registering the facts, without which the Company cannot judge of the economy and propriety of the expenditures of their agents.

Although I have explained this subject fully to the Board, and they have adopted, and have before them all the rules and regulations for the government of the agents, forms of the books, accounts, and tabular statements, which I have established and caused to be adhered to, while I have been acting as the Engineer and Agent of the Company, I beg leave to append them to this report. The subject is of so much importance, that they cannot be too often adverted to. They are the result of twelve years' experience, observation, and comparison of the various systems of conducting the affairs of rail ways. Nothing will

[I CONTINUED.]

tend so much to keep down the expenses of the Company, as a periodical exhibit of these statistics. They are to the Company what the day-book, journal and ledger are to the merchant. They show the cost, the receipts and expenditures, in detail—the only way in which extravagance and bad management can be made apparent; and it would be well if the Rail Road Companies throughout the country were to unite in some form of account, presenting the receipts and expenditures in the detail which I propose. This would act as a salutary check, and incite a spirit of emulation among the managers, that would prove beneficial to them, and to the whole rail way system.

I turn the work over to you with a supply of 4 steamboats, 12 locomotives, 6 eight-wheel and 2 four-wheel coaches, 20 eight-wheel burthen cars, 57 four-wheel burthen cars, 3 eight-wheel half pay passenger coaches, and 4 eight-wheel mail and baggage cars. These are sufficient for the present business of the road, and for any probable accumulation during the present year. The additional motive power which it would be prudent to keep in reserve, to ensure the regularity of the mail, and which the increased business of the autumn months may require, has been contracted for. All the warehouses on the line and the turnouts, which are at present necessary, have been completed. At Weldon, the Company own, conjointly with the Portsmouth and Roanoke Rail Road Company, a shop, with fixtures for repairs. In Wilmington, a commodious machine shop, 150 by 40 feet, and a warehouse 40 feet square, have been erected. Two wharves have been built, but are not yet filled in. There remains to be erected a blacksmith's shop and a foundry, and a dry dock, for the facility of the repairs, and the examination of the steamboats—all of which would have been done long since, as the Board are aware, but for the want of funds. There are also a number of brackets not yet fastened on the road, for want of nails. Contracts, however, have been made for putting them on, and nails for the purpose will be at hand in a few days.

For the repairs of the road, the necessary materials have been provided, overseers employed, and labor hired. Every department is fully organized, and every agent furnished with written instructions: in short, in accordance with my contract, I have constructed the road and put it into full and complete operation, with all its appointments; and I beg leave to refer to a report of a committee of the board of the 23d ultimo, for the efficiency of my arrangements, the merits and economy of which they have had an opportunity, by extensive correspondence, to compare with the system which prevails on the numer-

[1 CONTINUED.]

ous rail roads throughout the country. The same locomotive, with the mail, now passes through the entire line. This service, although double that of any other elsewhere, may be performed during the present year, while the engines and the road are new and in perfect order; but I would recommend, for the ensuing year, a change of locomotives at Goldsborough; and, for this purpose, a repairing shop should be fitted up at that place.

So far, no accident has occurred to persons or property. The cheerful notes of the bugle have never failed to announce the timely arrival of the mail; and, in our steamboat line, we have met with the same unparalleled success. The boats have been occasionally detained by fogs and thick weather; but not the slightest accident has ever occurred.

The new and permanent structures remain to be erected, (as was originally contemplated) in place of those which are built of perishable materials. These require the aid of an engineer, which I observe the committee of the Board anticipate in their report of the 23d ultimo.

The Board are aware, that in consequence of the impossibility of obtaining stone in many places, and from the great cost of them when they could be had, judicious economy directed us, in the first instance, to a resort to wooden trestle bridges, such as are found on the Baltimore and Havre-de-Grace, and the Camden and Amboy Rail Roads, and on all the great thoroughfares throughout the country, and to a greater extent, perhaps, than any that have come under the observation of the Board. Immediate provision should be made for substituting rock culverts in their stead. The materials should be collected; and, during the dull business months, their transportation to the points where they may be required, will afford profitable employment for the locomotives. In this way, with the hands that can be spared from the repairs of the road during some portions of the year, aided by a small additional force, the work can be executed at an expense so gradual as scarcely to be felt by the Company; whereas, if postponed to the last moment, besides costing much more, the expenses would be onerous, greatly prejudicial to the road, and a serious drawback upon the active benefits of the capital. But, to answer more fully the question which may arise with some, viz: why this work remains to be executed? it may be well here to give a general description of the plan of construction, and the reasons which led to its adoption.

The roadway formation consists of excavations to reduce, and embankments to elevate, the surface of the ground to uniform grades;

[1 CONTINUED.]

the width of which, in the excavations between Wilmington and Waynesborough, is 16 feet. With but few exceptions, the width of the same between Waynesborough and Halifax, is 20 feet—this being necessary to a more perfect drainage of the road-bed. For the remainder of the road, from Halifax to Weldon, the width is 16 feet. The slopes vary from 45 degrees to an angle corresponding to a base of three-fourths of a foot to one foot perpendicular. The embankments are uniformly 12 feet wide at top, with side slopes of about 33 1-3 degrees, or 1 1-2 base to 1 of altitude, and are made of earth taken from the excavations and from the sides of the road. They, as well as the excavations, are as permanent and durable as any work of the kind in the country.

The superstructure consists of heartpine sills, 10 × 10 and 8 feet long, and rails 6 × 8, and 15, 20, 25, and 30 feet long, on seventy-four miles of the road; and on eighty miles, the sills are 8 × 8 inches, and 8 feet long, and the rails 6 × 6 inches, and 16, 20, 24, and 28 feet in length. Between Halifax and Weldon, the construction is similar to that of the Portsmouth and Roanoke Rail Road. On the rest of the road, the sills are bedded 4 feet apart, for rails 6 × 6; and 5 feet, where the rails are 6 × 8, on foundations 4 and 5 inches below the graded surface of the road, previously well consolidated by ramming. Through the cuts, they are laid on longitudinal sills, 12 × 4 inches, placed under the bearings of the rails, and also 5 inches below the graded surface. The rails are of the best heartpine, planed on the upper surface, leaving a smooth flat bearing for the iron rail, and bevilled off on the inner edge, so as to throw the bearing more on the centre. They are also bevilled off on the outer edge, so as to cast off the rain water more readily. They are planed and guaged to a uniform size, and the bottom and sides covered with turpentine at their bearings on the sills, to which they are secured by trenails, except at the ends, where they are fastened to the sills by iron bolts; and they are further secured in their parallel position by wooden knees, also bedded in turpentine, and abutting against them on each side. The iron plates are 2 inches wide by 5-8 of an inch thick, fastened to the rails by spikes 5 inches long and 3-8 of an inch square, driven through countersunk holes 15 inches apart; the ends are prevented from sinking into the rails, by placing under them splicing plates 6 inches long, 2 inches wide, and 1-4 of an inch thick; and the width of the tract is 4 feet 8 1-2 inches in the clear. By this plan, the rail is 5 inches above the graded surface of the road; it rests on the top of sills; to which it is fastened as heretofore describ-

ed, through the intervention of turpentine, so as to be entirely impervious to moisture; and, from its high and dry situation above the ground, should any by possibility find its way between it and the sills, it receives the sun most favorably to its speedy evaporation. And, by the favorable exposure of the knees on the top of the sill, they become warmed through by the sun, and thus evaporate any moisture that may get under them.

It is obvious, that in this position, the timbers are kept dryer, and are much less liable to decay, than in the ordinary plan of notching and keying the rails into the sills; in which case, they can never be fitted so as to exclude the moisture that occasions decay at the bearings both of the rail and sill, long before there is any indication of it elsewhere.

Bridges.—Over Smith's creek the bridge is on the truss plan, supported on piles sawed off at the surface of the water. The bridge across Cape Fear was found to be more difficult of construction than any other on the line, the water being never less than 34 feet deep, and the foundation a loose floating sand. The abutments are of stone; the piers, which will immediately be built of stone, are at present trestles of square timber resting on cribs kept in position by piles and by rock work thrown in and around them. The superstructure is on the plan of Town, open at top; but the sides are secured from the weather by weatherboarding. The bridges across the water way of all the other streams, except Rockfish, where the abutments are of wood, are built as permanently as wooden bridges can be, on Town's plan, with rock piers and abutments, the only variety consisting in the disposition of the floor timbers, either on the top, bottom, or intermediate strings according to the elevation. Those across Contentna, Tar river, and Fishing creek, are roofed; the sides of Rockfish and Neuse bridges are weatherboarded, the floor, joists and rails only, being exposed to the weather. The floor of the bridge across Quanky rests on the upper strings, and is made water tight by a coat of pitch and sand, and the sides weatherboarded, so as to protect it completely from the weather.

Wood truss work has been substituted for embankments over the low grounds of the Cape Fear, Rockfish, Neuse, and Tar rivers, and Swift and Fishing creeks; and in the crossing of swamps and slashes it has been extensively substituted for stone culverts and embankments, the country being generally destitute of rock, and the earth on either side, which should have formed the latter, being unsuited

[I CONTINUED.]

for the purpose, and its transportation exceeding greatly in cost that of wood work.

Had the resources of the Company been ever so ample, it would have been a question with me, whether the plan of construction adopted was not more consistent with a wise economy. But with limited means, and the country abounding in good timber, some of which is exported to other States for rail roads, I did not consider it necessary to suggest any other mode of construction. But, although my preferences yielded to the irresistible reason of present economy, I have the satisfaction to know that no principle has been sacrificed to it. Whatever has been necessary to the stability, efficiency, and durability of the work, upon the plan as first proposed by me and adopted by the Board, has been done. And it is a source of no little gratification to me to be able to state, that all this, and many improvements suggested during the progress of the work, not at first contemplated, have been effected at a cost not exceeding my original estimates, as will appear from the following statement, in which the estimated and actual costs (after deducting items not embraced in the estimates,) are collated:—

| | ESTIMATED COST. | ACTUAL COST. |
|---|--------------------|----------------|
| Excavation and Embankment, | \$385,624 46 | \$316,320 62 |
| Superstructure—rails, sills, knees & Iron, | 582,085 34 | 573,663 44 |
| Bridges, | 120,340 00 | 166,961 16 |
| 6 Locomotives, | 48,000 00 | 48,000 00 |
| 20 Coaches, | 20,000 00 | 20,000 00 |
| 80 Cars, | 24,000 00 | 24,000 00 |
| Warehouses and water stations on the line, | 16,000 00 | 22,166 17 |
| Workshops, Sheds, Warehouses, and Wharves, at the termination of the road, | 70,000 00 | 56,691 51 |
| Pay of Engineers, including contingencies, | 40,000 00 | 66,991 45 |
| 3 Steamboats, | 180,000 00 | 180,000 00 |
| Land Damages, | 13,950 20 | 16,262 60 |
| | \$1,500,000 00 | \$1,491,156 95 |

Thus it appears, that the actual cost falls short of the estimated cost, \$8,943 05, without making any allowance for the increased price of labor and materials since my estimates were made out, and without charging any thing to the increased cost arising from the rapidity with which the work was executed, much of it having been done at night. The cost of the work, however, has been swelled to an amount exceeding the estimates, by expenditures on account of items not embraced therein, to-wit. the purchase of the Halifax and Weldon Rail Road; an *additional* steamboat—widening cuts from

16 to 20 feet, sub-sills in the cuts—6 Locomotives, 12 Cars—discount, interest, exchange, &c.

I would take this occasion to observe, that my confidence in the success of the work remains unshaken, although the receipts are not so great at present as we had every reason to believe they would be, when the work was commenced. Every body knows that the travel is scarcely a fourth of what it was four years ago; and the causes of this reduction are also so well known, that even if this were a proper place, it would not be necessary to state them. We all hope and believe, that these causes cannot continue to operate much longer; and unless we anticipate a total prostration of trade, nothing can occur to reduce the business and travel of this road below what it is at present. We have no rival line to contend with, nor any in contemplation which can draw any portion of the trade or freight from the road. Taking the receipts of the last five months at \$117,443, (see the return herewith) and allowing an increase of travel and freights consequent upon the completion of the rail road, of only \$1,512 per month, and it gives us for the present year an aggregate gross income of \$300,000. From this deduct \$180,000, the amount of the expenditures, predicated on contracts and a close calculation of the expenses, from which there can be but little variation, and we have left a nett revenue of \$120,000, equal to 6 per cent. on the cost of the work, or 8 per cent. on the capital stock of the Company. Now, although I am certain the revenue will greatly exceed this sum, I prefer assuming it, because its correctness cannot be questioned; and if, under the very worst state of things, we prove the work profitable, what may we not expect upon a return of the prosperity of 1836? Our most sanguine expectations will be more than realized; and, as I observed in my report upon the reconnoissances and surveys, your revenue will be greatly swelled from other sources, which we have not taken into the account. All the improvements which are contemplated, from the sea-board to the western part of the State, must cross the line of your rail road. It will be found to their interests, to some extent, to pursue it, in order to make selection of the most favorable location. It is a source of satisfaction to us, to perceive how generally it is now admitted, that your road forms the basis to which all the State works must refer. At the northern extremity, a road has been projected to Gaston; from the centre, a line to the west is in contemplation; and at Wilmington, through the Cape Fear, the Yadkin will pour in her treasures. Every improvement designed *for the benefit of the State*, must necessarily run into your line. In any view I can take of the

[I CONTINUED.]

subject, I am led to the conviction that no work in the country will surpass it as a source of profit to the stockholders; nor could any work have been projected, presenting equal claims as a State and national work. It is creditable to the State and to the South. To Wilmington, it is an enduring monument of her enterprise; and she richly deserves all the benefits and prosperity which it will confer upon her.

Such are the character and prospects of the work which I have had the honor to construct, and which I now commit to your management, with my thanks for the unwavering confidence you have reposed in me.

I am, gentlemen, very respectfully,

Your most obedient servant,

WALTER GWYNN, *Civil Engineer.*

Wilmington, N. C. 11th April, 1840,

[I CONTINUED.]

REPORT

OF A RECONNOISSANCE OF A LINE FOR A

RAIL ROAD,

BETWEEN THE CITY OF RALEIGH AND GOLDSBOROUGH,

ON THE LINE OF THE

WILMINGTON & RALEIGH RAIL ROAD,

BY MAJ. WALTER GWYNN, *Civil Engineer.*

To the President and Directors of the

Wilmington and Raleigh Rail Road Company:

GENTLEMEN:

With the view to a branch from your Rail Road to the city of Raleigh, I have, in compliance with your request, made a reconnoissance of the intermediate country.

Leaving out of view the routes which I found to be impracticable, and the question entirely open as to any detailed deviations which may be found necessary, when more accurate information is collected, and when the surveys and levels are in progress—I have the honor to report, that the most eligible route will have for its trace a line commencing between the Neuse and Goldsborough; thence passing through or near Waynesborough to Smithfield, or to Larkin Smith's, (as subsequent examinations and surveys may determine,) crossing Little River at a very eligible site for a bridge near the county road.

To whichever of these points the survey may be directed, the face of the country is as favorable as could well be desired; but one curve will be necessary, and the few small streams that are crossed may be regarded as favorable interruptions to the uniform flatness of the country, serving as reservoirs to drain it.

At Smithfield, the right bank of the Neuse is considerably above high water, while the south bank is overflowed in great freshets, to a distance of several hundred yards. The banks at Larkin Smith's are

said to be high on both sides of the river; and a bridge a little longer than the ordinary width of the stream, will pass all the waters of the floods.

From either point of crossing, the line, by a very gentle grade, will reach the general level of the ridge which divides the waters that flow into the Neuse by rivulets, running to the north, from those that empty into Moore's creek, a small tributary which discharges itself into the Neuse, a little below Smithfield; thence along this ridge, crossing Walnut creek near the stage road, to Smithfield, about a mile and a half from the Governor's mansion; and through the valley of Rocky Run the line reaches Raleigh.

But little excavation and embankment will be encountered, and but few deviations from a straight line will be necessary, until the line reaches Britton's at the cross roads, seven miles from Raleigh. From this point the route will be curvilinear all the way to Walnut creek, and deep excavation will be indispensable, to obtain suitable grades and avoid abrupt curvatures. Walnut creek will be crossed by a bridge of such a height as to give a gentle ascent and not a very expensive route to Raleigh. The precise point of termination I leave to future consideration.

In concluding my observations upon the nature of the works and inclinations, I may say, that in the whole course of my experience, I have never examined a country for a rail road, so remote from the seaboard, (nor indeed any where except the first 50 miles of the Wilmington and Raleigh Rail Road,) of the length this will be, where the works to be executed are of an easier description, or the levels and inclinations of a more favorable character.

The material through which the excavation would be made, is principally sand, with a substratum of clay; but in the neighborhood of Raleigh, and about ten miles adjacent thereto, the excavations would consist chiefly of clay—there being only a little surface sand, and the line will also pass through some rock. Timber of a suitable quality for the construction of this portion of the road, and for that of four or five miles in addition, is scarce; on the remainder of the route, it is abundant and convenient to the line.

The distance will vary very little from 50 miles; and the cost of the rail road, with width of track and superstructure of the same, and in all other respects similar to the Wilmington and Raleigh Rail Road, may be safely estimated at a sum not exceeding six hundred thousand dollars.

From the friendly disposition evinced by the landholders all along

[I CONTINUED.]

on the line, I have no doubt the right of way will be greatly relinquished, free of charge; and, with a liberal charter and a subscription on the part of the State of one half or three fifths of the amount of the stock, there will be no difficulty in obtaining the remainder.

This work addresses itself to the patronage of the State, as forming a part of the "Central Rail Road," recommended by the Internal Improvement Convention of 1832, in which every interest, and almost every district of the State was represented. It occupies 30 miles of the course of the central road, and is *no where* more than four or five miles distant from the very ground, over which the State, influenced by the views of the Convention, directed a survey to be made.

This work, although first in importance to the agricultural and commercial interests of the State, has been hitherto neglected and indeed lost sight of, owing chiefly to the large expenditure involved in the prosecution of the whole scheme at once, as proposed by the Convention, from which no income could be expected until the union of all the parts was effected, and the entire work completed. Besides, at the time it was recommended by the Convention, it presented an isolated line, without any outlet, either north or south, for the travel; thus giving very just grounds to doubt its profitableness. It was believed, too, that the great length of the section, between the primitive region and the seaboard, passing over a light soil, and furnishing little for transportation, would be a tax upon the remainder of the road, and detract from its profits. The passage of the mountains was also advanced as an insuperable difficulty.

But we now present the scheme divested of all these objections. Tributaries are prepared to reciprocate and roll back the vivifying influence of the mountain streams. In sight of the Capitol, the Catawba and the Roanoke will exchange their fruits. Swelled by the harvest of the fertile Neuse, the Wilmington and Raleigh Rail Road will bear all in triumph to the ocean, sending back in return the products of the Indies and of the sea, to supply the accumulating wants of the dense population soon to spring up and crowd the prolific sources of this great improvement. The last objection to be met is, the passage of the mountain; in relation to which, and in reference to the improvement proposed by the Convention, it has been said, that "after the plan and manner of crossing the Blue Ridge is decided on, the rest is easy." Although these points could be readily determined, I would propose to meet the difficulty, especially as it will detract nothing from the merits of the scheme, by terminating the work for the present in the thousand beds of iron that lay scattered all along

on the eastern slope of the mountains; and, in all probability, ere the work reaches the Blue Ridge, Tennessee, in seeking an outlet for the travel by the Hiwassee Rail Road, will have scaled the mountains.

As to the profits of the improvement arising from dividends, I have no data upon which to base any thing like an estimate; but I suppose no doubt can be entertained of its productiveness. The travel will, doubtless, be great; and the additional inducement for work, and the great demand for those minerals with which the mountains are filled, given by facilities of rail way communication, will cause a great increase of population and tonnage of all descriptions. And there are said to exist valuable and extensive seams of coal, the transportation of which would form a considerable item of tonnage. The conveyance of cattle and all kinds of agricultural products, and the carriage of raw materials for the manufactories which will spring up on the line, groceries, and various other articles, will be great, and bring in a considerable revenue.

Admitting, therefore, that we have met the objections urged against, and established the importance of the scheme recommended by the Convention, the practicability and utility of the rail way under consideration follows as an axiom. And on the other hand, all the arguments we might adduce, demonstrative of the advantages of the road between Raleigh and Wilmington, seem also to prove the practicability of the whole line, and inspire confidence in its success.

The Wilmington and Raleigh Rail Road I have always considered as the basis upon which the Internal Improvement scheme of the Raleigh Convention may be most conveniently carried out, and so expressed myself in my first report on this road; which is now completed, and bids fair to be as profitable stock as any in the country. Eighty-four miles of this rail road will form the first link in the great State work, (so often referred to in this report,) the successful operation of which lays a sure foundation for the construction of the link to Raleigh; and thus we will advance step by step to the final accomplishment of the work; and this branch, besides leading the way to this achievement, will add greatly to the profits of the Wilmington Road, in which the State is so largely interested.

But, to remove all apprehensions as to the success of the next link beyond Raleigh, the work might pause there, and a system of turn-pikes, humble as they may be compared with rail roads, might serve to shew the necessity and advantages of its further extension, and arrest the destructive progress of emigration, so alarming and threatening in its influence upon the future prospects of the State.

I am, gentlemen, very respectfully, your obedient servant,

WALTER GWYNN, *Civil Eng'r.*

Wilmington, N. C. April 11th, 1840.

L

Dr.

Fund of Internal Improvements from 1837

| | | |
|---------|---|---------------------|
| 1837 | To amount of this fund on hand, | \$59,333 61 |
| | " Balance of 2nd surplus appropriated to this fund, | 55,838 26 |
| | " Third instalment of surplus do. | 477,919 13 |
| | " Premium of northern draft, received in payment of this sum, | 964 60 |
| | " Received of Cherokee Bonds, | 33,336 70 |
| | " " " sales in 1838, | 12,528 49 |
| 1840 | " Bank dividends, | 3,024 00 |
| Nov. 1. | " Amount due Public Treasurer, | 2,172 73 |
| | | <u>\$645,117 52</u> |

FUNDS OF THE BOARD.

| | |
|---|---------------------|
| Bonds and notes individuals and corporations, | \$30,761 52 |
| Cherokee bonds, balance sales 1838, | 268,679 44 |
| Ditto do 1836, | 20,608 79 |
| Ditto do old, supposed, | 5,000 00 |
| | <u>\$325,049 75</u> |
| Deduct balance P. Treasurer, | 2,172 73 |
| | <u>\$322,877 02</u> |

to November 1840, inclusive.

Cr.

| | | |
|------|--|--------------------------|
| 1840 | By stock paid for in the Wilmington and Raleigh Rail Road Company, | \$600,000 00 |
| | " Amount of individual and corp'tion notes, | 30,761 52 |
| | " Paid to road in Macon, | 9,000 00 |
| | " Expenses survey Nagshead, | 2,336 94 |
| | " Expenses of agent opening books of subscription of the Fayetteville and Western Rail Road, | 862 50 |
| | " Expenses of the Board, | 2,156 56 |
| | | <hr/> \$645,117 52 <hr/> |
| Nov. | By balance due P. Tr. pr. contra, | \$2,172 73 |

EDW. B. DUDLEY,

Pres't. ex officio Board Int. Imp.

THOS. J. LEMAY,*Printer for the Legislature.*

LEGISLATURE OF NORTH CAROLINA.

RALEIGH, DECEMBER 15, 1840.

REPORT

OF THE

COMMITTEE ON PUBLIC BUILDINGS

ON THE

Application of \$20,000 borrowed from the Bank, &c.

The Committee on Public Buildings, having been instructed, by a resolution of the Senate, to inquire "into the application of \$20,000, borrowed by the Commissioners, for rebuilding the Capitol, of the Bank of the State; the nature and proper value of the work and articles for which said money was paid; and the times when such labor was done and articles purchased," submit the following report:

On the 1st of March, 1840, the funds appropriated were all exhausted, except the sum of \$74 00; and on settlement of the accounts up to that date, there was due to S. Birdsall, Clerk of the Commissioners, \$49 38, leaving a balance of the appropriation of \$24 62.

In the month of March, 1840, the following sums were paid out, viz :

| | |
|--|----------|
| Amount paid laborers, as per time book and receipts, | \$123 24 |
| “ “ Stone Cutters, “ “ | 410 50 |
| “ “ Carpenters, “ “ | 1,606 49 |
| “ “ Bills as per vouchers | 7,557 39 |

Total amount of expenditure in March, \$9,697 62

Among the vouchers above stated, is a receipt of W. W. French, for an instalment, on his contract for plaistering, for \$600 00; Struthey's receipt for mantels, \$3,401 20; Cornelius & Co's. receipt for Chandeliers, \$1,326 75; Hoovers & Co's. receipt for lime, \$337 50: and the balance of the bills to cover that amount, is for lumber, sawing, freight, lime, watching kilns, fire wood, 75 barrels plaister and hauling.

In April, 1840—

| | |
|--|----------|
| Paid laborers as per time book and receipts, | \$108 12 |
| “ Stone Cutters, “ “ | 400 50 |
| “ Carpenters, “ “ | 1,616 11 |
| “ Other bills as per vouchers, | 1,424 13 |

Total expenses in April, \$3,548 86

The bills for this month are, W. W. French, instalment on his contract for plaistering \$800 00; W. Thompson for mahogany \$194 91; R. Smith for brushes, screws, files, nails, locks, hinges, and iron \$109 36. The balance of the bills are small, and are for soapstone, wood, timber, watching and hauling.

In May, 1840—

| | |
|--|----------|
| Paid laborers as per time book and receipts, | \$77 74 |
| “ Stone Cutters, “ “ | 262 50 |
| “ Carpenters, “ “ | 1,295 80 |
| “ Bills as per vouchers, | 2,267 88 |

Total expenditure in May, \$3,903 92

The accounts for this month are for instalment on W. W. French, contract for plaistering \$2,000; the balance are in small bills for wood, timber, hauling, plank, and nails.

In June, 1840—

| | |
|--|---------|
| Paid laborers as per time book and receipts, | \$60 86 |
| “ Stone Cutters “ “ | 146 19 |
| “ Carpenters “ “ | 909 93 |

\$1,116 98

Bills as per vouchers, 285 32

Total expenditures in June, \$1,402 30

These are vouchers for locks for the doors, shades for Chandeliers, oils, nails, hinges, watching, lead and soapstone.

In July, 1840—

| | |
|--|---------|
| Paid laborers as per time book and receipts, | \$58 99 |
| “ Stone Cutters, “ “ | 49 00 |
| “ Carpenters, “ “ | 773 87 |
| “ Bills as per vouchers, | 126 09 |

Total expenditures in July \$1,007 95

The vouchers for this month are for work on doors, painting, timber, watching, paint brushes and oil.

In the month of March, there were employed eight laborers, five stone cutters, and 32 carpenters.

In April, seven laborers, five stone cutters and thirty-three carpenters.

In May, seven laborers, five stone cutters and thirty-three carpenters.

In June, five laborers, three stone cutters and twenty-nine carpenters.

In July, eight laborers, three stone cutters and thirty-three carpenters.

The laborers received from 50 to 75 cents per day.

The carpenters received from one to two dollars per day.

The stone cutters received from two dollars to two seventy-five per day.

The superintendent is set down, in the stone cutters' time book, at \$5 per day.

| | |
|---|-------------|
| There was expended in the month of March, | \$9,697 62 |
| “ “ “ April, | 3,548 86 |
| “ “ “ May, | 3,903 92 |
| “ “ “ June, | 1,402 30 |
| “ “ “ July, | 1,007 95 |
| | <hr/> |
| | \$19,560 65 |

| | |
|--|------------|
| There was drawn from the bank in March | \$3,401 30 |
| “ “ April, | 9,619 40 |
| “ “ May, | 3,906 31 |
| “ “ June, | 1,402 80 |
| “ “ July, | 1,010 63 |
| | <hr/> |

| | |
|---|-------------|
| Nett amount drawn from bank, | \$19,340 40 |
| Add balance on hand 1st March, | 24 62 |
| Add amount paid on bills, out of sales of rock, &c. | 98 79 |
| Add amount due S. Birdsall as per report of Committee, | 96 84 |
| | <hr/> |
| | \$19,560 65 |

The committee can form no idea of the “proper value” of a great portion of the articles. They are such as we are not in the habit of seeing, and there is none here, the cost of which we can compare with those furnished for the Capitol. Such articles as were purchased here, and of the value of which we can form an opinion, we believe are not charged above the usual prices.

The committee are also instructed to inquire into “the nature, description, and proper value of the work and articles which are stated in the late report of the committee, to constitute a just debt against the State of the amount of about \$9,000.” The “description” of the articles for which those accounts are, the committee have given in their late report. Of the proper value of that portion which was purchased at the North, we have no data on which to form an opinion. From the best information which the committee can obtain, those articles were purchased at the standing prices. That portion of those accounts which is for labor done, or articles furnished here, are not charge above the usual prices.

The contract for plastering, was entered into by the Commissioners with W. W. French, on the 22d Aug. 1837. He was to do all the lathing and plain plastering, with three coats, for 15 cents the square yard, superficial measure, deducting openings. The ornamental work to be charged according to the Philadelphia book prices.

Mr. Strickland, an eminent Architect in Philadelphia, was requested by the Commissioners to send on some gentleman qualified, and acquainted with the Philadelphia prices, who should be a sworn measurer, to take the measurement of the work done by Mr. French. The following is the bill made out by A. H. Burtis, the measurer:

| | |
|--|--------------------|
| 8,169 yards plain plaistering, 15 | \$1,225 35 |
| 2,280 yds. 6 in. angle cornice, | 773 56 |
| 18,776 " 2 " other cornice, | 4,510 96 |
| 436 " plain frize, | 21 80 |
| 9,932 " 3 " cast enrichments, | 5,047 81 |
| 529 " pannels, | 1,128 39 |
| 578 " rosettes, | 186 50 |
| 160 wreathes, | 386 52 |
| 97 drops and centre flowers, detached pieces, | 435 60 |
| Collecting materials, & repairing pieces around the windows, | 274 32 |
| | <hr/> |
| | 13,990 81 |
| Add $\frac{1}{2}$ of measuring bill, | 119 18 |
| | <hr/> |
| | <u>\$14,109 99</u> |

The following sums were paid Mr. French:

| | |
|---|----------|
| 1838, in July, | \$300 00 |
| August, | 400 00 |
| September, | 400 00 |
| October, | 400 00 |
| November and December, | 900 00 |
| 1839, in January, | 500 00 |
| February, | 600 00 |
| October, | 400 00 |
| November, | 600 00 |
| December, | 600 00 |
| 1840, in January, | 600 00 |
| February, | 600 00 |
| March, | 600 00 |
| April, | 800 00 |
| May, | 2,000 00 |
| | <hr/> |
| | 9,700 00 |
| Amount paid in May by S. Birdsall, | 56 25 |
| 25 Barrels Plaister, furnished by Commission- ers at \$6 45, | 296 70 |
| Carpenters' Bill for making moulds, | 184 12 |
| 60 lbs Wax, | 9 00 |
| | <hr/> |

10,246 07

Which amount, taken from the charges of Mr. French,
leaves (which is a balance yet due)

3,863 92

\$14,109 99

Respectfully submitted.

H. G. SPRUILL,
Chairman.

LEGISLATURE OF NORTH CAROLINA.

IN SENATE, DECEMBER 15, 1840.

REPORT

ON

THE MEMORIAL

OF THE

RALEIGH AND GASTON RAIL ROAD COMPANY.

Mr. Hawkins, from the Committee on Internal Improvements, to whom was referred the memorial of the Raleigh and Gaston Rail Road Company, made the following report:

The Committee on Internal Improvement, to whom was referred the memorial of the Raleigh and Gaston Rail Road Company, have had the same under consideration, and beg leave to report:

That it appears from said memorial that the Company was incorporated in the year 1835, for the purpose of constructing a Rail Road from the Roanoke River to the City of Raleigh: That \$700,000 of stock was subscribed by individuals, the greater part of which has been paid in; that for the purpose of completing the Road, the aid of the State was obtained, in 1838-'9, to the amount of \$500,000, upon the Company's executing a mortgage on all their estate, real and personal, for its indemnity; which mortgage has been executed: That this sum was at that time deemed sufficient to complete the work; but in consequence of the unexpected difficulties encountered in its prosecution, its cost has greatly exceeded that amount, and has left the Company still largely in debt: That the road is now completed to the City of Raleigh, and is in successful operation; but for the purpose of relieving it from its present difficulties, a further aid is required to the amount of \$250,000 or \$300,000: That the whole cost of the work is from \$1,350,000 to \$1,400,000. And as the State has already a mortgage upon the whole, to secure the sum of \$500,000 for which her guaranty has been already obtained, there is no possibility of raising money upon that property to pay their outstand-

g debts; and the demands of their creditors are too urgent to enable them to pay them from the receipts of the road.

A statement was laid before the committee by the President of the Company, a copy of which is herewith submitted; from which it appears that a large amount of produce and merchandize has been transported upon the road, and the number of passengers has greatly increased since its completion to Raleigh.

The actual receipts have already amounted to the

| | |
|--------|-------------|
| sum of | \$80,386 00 |
|--------|-------------|

per annum. The total expenses for the same time

| | |
|-------------------|-------------|
| have not exceeded | \$38,400 00 |
|-------------------|-------------|

Leaving a nett surplus of

| |
|-----------|
| 41,986 00 |
|-----------|

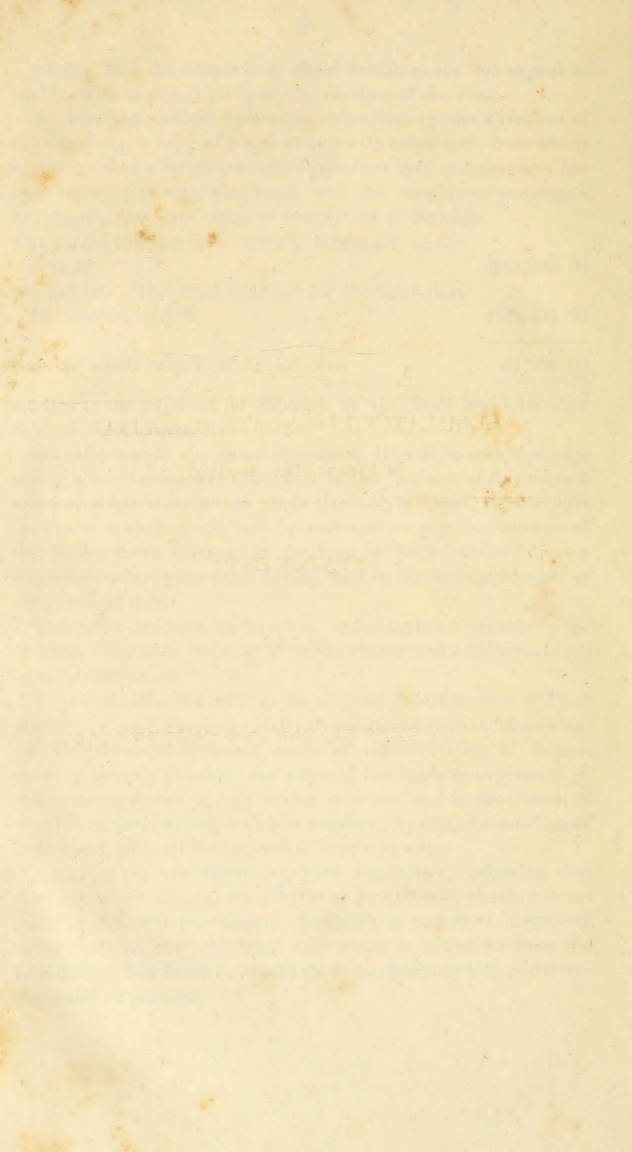
applied to the payment of interest on the State loan and other debts of the Company.

On reference to the same statement, it will be seen that supposing a like increase to take place in the business of this road to that which has occurred on roads similarly situated, the receipts for the next three years will be sufficient to pay the expenses of the road and the interest on the loan of \$800,000, and leave a large sum to be applied as a sinking fund to the extinguishment of the principal debt.

This work has been undertaken and completed entirely by individual enterprize, this State having subscribed nothing towards its construction.

Your committee regard it as one of great public interest and importance; it leads through a rich and populous section of the State, affording the only convenient means of transportation of its products; it greatly enhances the value of the lands contiguous to it; and has contributed largely to the increase and improvement of the seat of government, which it connects, by a continuous line of Rail Road, with all the important northern cities.

Under these considerations, your committee, believing that property which has cost \$1,350,000 or \$1,400,000, yielding an income of \$80,000 per annum, furnishes a sufficient indemnity to the State for the additional aid which is asked for from the Legislature, beg leave to report the accompanying bill, and to recommend its passage.



Doc. No. 19.

LEGISLATURE OF NORTH CAROLINA.

IN SENATE, DEC. 15, 1840.

STATEMENT

OF THE

MERCHANTS' BANK OF NEWBERN.

State of the Merchants' Bank of Newbern on

| | | |
|--|--------------------------|---------------------|
| Specie, | | \$32,602 02 |
| Notes Bank United States, | \$2,250 00 | |
| " " Cape Fear, | 2,808 00 | |
| " " State, | 1,471 00 | |
| Checks " " | 328 52 | 6,857 52 |
| Real Estate, | | 6,368 90 |
| Bank Expenses, | | 2,298 50 |
| Bills receivable, | 303,455 12 | |
| " " in suit, | 15,677 00 | 319,132 12 |
| Bills of Exchange, | | 26,706 29 |
| Fulton Bank, | 6,348 71 | |
| Merchants Bank Baltimore, | 949 65 | |
| Bank United States, | 896 59 | |
| Bank Cape Fear Washington, | 5,299 10 | 13,494 05 |
| | | <u>\$407,459 40</u> |
| Of the above amount of Bills receivable there is due from Stockholders and from Directors, | \$22,033 00 10,211 00 | |

M. E. MANLY, *President.*

LEGISLATURE OF NORTH CAROLINA.

IN SENATE, DECEMBER 16, 1840.

REPORT

OF THE

JOINT COMMITTEE ON EDUCATION,

ON THE SUBJECT OF

COMMON SCHOOLS.

The Joint Committee on Education, have had under consideration the resolution of the Senate, instructing them "to inquire whether any, and what alterations are expedient in the Act for the establishment of Common Schools, and to report by bill or otherwise;" and also a bill referred to them from the House of Commons, entitled "A bill for the establishment and better regulation of Common Schools," and instruct me, under the resolution of the Senate, to report the accompanying Bill, and recommend its passage.

As to the first inquiry presented by the resolution, "whether any alterations are expedient in the Act on this subject," your Committee are unanimous that the act requires amendment; but great diversity of opinion prevails as to the best plan of amending it. A majority approve the accompanying bill; and as the session is far advanced, they think it expedient to report it immediately, without the delay which would be required to state in detail all the plans which they have had under consideration, with their reasons for adopting or rejecting them.

The following statement exhibits the probable annual income of the Literary Fund:

| | |
|--|----------|
| Dividends on \$532,200, stock in the Bank of Cape F'r, | \$31,932 |
| Dividends on \$500,000, stock in Bank of State, | 35,000 |
| Interest on \$140,000, loaned to Raleigh and Gaston Rail Road Company, | 8,400 |
| Interest on \$85,000, loaned to Raleigh and Wilming- ton Rail Road Company, | 5,100 |

| | |
|---|-----------|
| Dividends on \$37,500, stock in Cape Fear Navigation Company, | 650 |
| Dividends on \$50,000, stock in Roanoke Navigation Company, | 456 |
| Dividends on \$5,000, stock in Buncombe Turnpike Company, | 750 |
| Entries of vacant land, | 4,073 |
| Auction tax, | 525 |
| Tavern tax, | 2,915 |
| Interest on notes belonging to Int. Impt. Fund, | 1,715 |
| Dividends on \$11,200, stock belonging to Int. Impt. Fund in the Bank of Cape Fear, | 672 |
| Interest on \$155,493, loaned to individuals, | 9,356 |
| | <hr/> |
| | \$101,544 |
| Dividends on \$600,000, stock in the Raleigh and Wilmington Rail Road Company, | 36,000 |
| | <hr/> |
| Total probable annual income, | \$137,544 |

Few States in the Union have so large a fund. And your committee believe that a very large majority of the people are desirous that its annual increase should be applied to the purpose for which it was created. Common Schools are not in the most flourishing condition where most aid is granted from a fund. To make the people feel a proper interest in them, experience has shown, in the States where the system has long prevailed, that a considerable part of the money necessary to sustain the schools, should be raised by direct taxation. When a man feels that he is paying something to defray the expenses of a school, he will be inclined to get the benefit of it by sending his children to it. The fund is not large enough to keep up the schools for a sufficient length of time, if the counties do not impose a tax in aid of it; but your Committee believe that the Justices of the Peace in each county, almost always reflect correctly the popular will of their county, and that they will always impose a tax where the voice of the people sanctions it; and that it will prejudice the cause to collect it where it is disapproved. It is hoped that under the plan proposed by the bill a laudable emulation will spring up among the different counties.

It appears, by the late census that the whole number of white children in the State, between five and twenty years of age, is 185,427. Assuming that not more than half of these will in any one

year attend the schools, the nett annual income of the Literary Fund will give each scholar about \$1 10, exclusive of any dividends on its \$600,000 of stock in the Raleigh and Wilmington Rail Road Company. If that company shall declare dividends, of course the annual income of the Literary Fund will be increased in proportion to the State's share of said dividends.

J. WORTH, *Chairman.*

Doc. No. 21.

LEGISLATURE OF NORTH CAROLINA,

RALEIGH, DEC. 16, 1840.

ANNUAL REPORT

OF

THE TREASURER

OF THE

TRUSTEES OF THE UNIVERSITY OF N. C.

TOGETHER WITH

THE REPORT

OF

The Committee appointed to audit his Accounts.

RALEIGH:

THOS. J. LEMAY, PRINTER FOR THE LEGISLATURE.

1840.

To the *Honorable the*

General Assembly of North Carolina.

GENTLEMEN:

In obedience to the provisions of a statute regulating the University, I herewith transmit to you a copy of the Annual Report of the Treasurer of the Board of Trustees, together with a copy of the report of the committee appointed to audit and settle the same:

Also the resignation of Louis D. Wilson, Esq. as one of the Trustees.

I have the honor to be, your ob't. serv't.

EDWARD B. BUDLEY.

Executive Department, }
16th December, 1840.

REPORT.

RALEIGH, 20TH NOVEMBER, 1840.

*To the President and Board of Trustees of the
University of North Carolina.*

GENTLEMEN:

I have the honor to inform you that the receipts at the Treasury of the University within the past fiscal year, embracing a period from the 20th November, 1839, to the 20th November, 1840, amount to seven thousand seven hundred and thirty eight dollars sixteen cents, which sum, being added to

\$7,738:16

\$1,014:49

the balance remaining in the Treasury at the close of the preceding year, viz. on the 20th November, 1839, forms an aggregate of eight thousand seven hundred and fifty two dollars sixty five cents,

\$8,752:65

That the disbursements within the same period amount to seven thousand nine hundred and ninety three dollars forty three cents,

\$7,993:43

Leaving a balance in the Treasury at the close of the current fiscal year, viz. on the 20th November, 1840, of seven hundred and fifty nine dollars twenty two cents,

\$759:22

which balance is deposited, and stands to my credit as Treasurer of the University, in the Bank of the State of North Carolina at Raleigh.

The receipts at the Treasury as aforesaid consist of the following items:

| | |
|--|------------|
| Old balance, | \$1,014:49 |
| Dividends of Bank of the State on 1000 shares of stock, | \$6,250:00 |
| Loan at the Bank of the State in anticipation of the July dividend to defray the salaries of the Faculty | \$1,488:16 |

\$8,752:65

The various items of receipts and disbursements are distinctly

exhibited in the account current and vouchers which accompany this report, and which are submitted as part thereof.

From statements furnished by the Bursar at Chapel Hill, it appears that the sum received from the students for Tuition and room rent the first session of 1840, amount to \$3,740:50, and for the second session to \$4,316:50—making an aggregate of \$8,057; which sum has been collected and disbursed by said Bursar according to his reports and exhibits herewith filed.

From the reports of the Bursar, it further appears that during the first session, ten students, and during the second session, seven students, received tuition and room rent free of charge, according to an ordinance of the Board.

All of which is most respectfully submitted.

CHARLES MANLY,
Treasurer of the University of North Carolina.

REPORT OF THE COMMITTEE,

To the Trustees of the University of North Carolina.

The committee to whom was referred the annual account of the Treasurer, &c., respectfully report, that they have examined the account of the Treasurer for the last fiscal year; that they find the vouchers for the items charged therein as expenditures, amounting to the sum of seven thousand nine hundred and ninety three dollars and forty three cents, to be correct; and that after deducting this amount from the sum stated by him to have been received during the same period, there remained in his hands, on the 20th November, 1840, the sum of seven hundred and fifty nine dollars and twenty two cents, to be hereafter accounted for.

Respectfully submitted.

WILLIAM H. BATTLE,
JOHN H. BRYAN,
J. R. J. DANIEL.

December 11, 1840.

LEGISLATURE OF NORTH CAROLINA.

RALEIGH, DEC. 22, 1840.

REPORT
OF THE
PUBLIC TREASURER
SHOWING THE
EXPENDITURES OF THE STATE FOR INTERNAL IMPROVE-
MENTS.

TREASURY OFFICE, Dec. 19th, 1840.

Hon. ROBERT B. GILLIAM, *Speaker of the House of Commons.*

SIR:

In obedience to a resolution directing "the Public Treasurer to furnish the House with a statement of all the expenditures made on behalf of the State for Internal Improvements, including therein the expenditures for draining the swamp lands, specifying in such statement the objects for which such expenditures were made;" the accompanying statements, A, B and C, are respectfully submitted.

Statement A, shows the expenditures for Internal Improvement from 1817, when the first appropriations were made by the State towards a general system of Internal Improvements, to Dec. 1827. There are no records in this office, showing the amount expended previous to the year 1827. I have, therefore, copied the expenditures up to that time from a report made to the Legislature in 1833, which appears to have been drawn with much care and attention. It will be perceived that the items charged in that report, after the year 1827, the period at which the regular accounts appear on the books of this Office, are deducted from the aggregate amount of statement B; and this added to the amount of expenditures of statement A, makes the sum of \$948,-773 84, expended for Internal Improvements from 1817 to November, 1840.

In D will be found the amount of expenditures for draining the swamp lands.

I have the honor to be, Sir,

With much respect,

Your obedient serv't.

C. L. HINTON, *Pub. Treas.*

[A.]

Extract from the Report of the Board for Internal Improvements,
December 4, 1833.

| | | |
|---|-------------|-------------|
| The whole expenditure of the State for Internal Improvements appears to have been as follows: | | |
| Inland Navigation from 1817 to 1821 | | \$11,855 55 |
| <i>Engineering and Surveying.</i> | | |
| Paid Hamilton Fulton to session of General Assembly, 1827, | \$29,861 00 | |
| " R. H. B. Brazier, do. | 8,629 92 | |
| " Surveying Swamp Lands do. | 3,367 69 | |
| " Do. do. since do. | 455 75 | |
| " Alanson Nash, do. | 1,663 91 | |
| " R. H. B. Brazier, Survey Bancombe Turnpike Road, | 442 65 | |
| " Survey of Central Rail Road, 1832, | 3,575 28 | |
| " Do. Cape Fear & Yadkin do. | 3,447 18 | |
| | | 51,453 38 |
| <i>Expenses of Board for Internal Improvements.</i> | | |
| To the session of General Assembly, 1827, | 5,037 45 | |
| Do. since do. do. | 1,216 12 | |
| | | 6,253 57 |
| Contingent expenses to session, 1827, | 1,154 26 | |
| Do. do. since do. | 372 86 | |
| | | 1,527 12 |
| <i>Roads.</i> | | |
| Cherokee road by act 1819, | 4,000 00 | |
| Hickory Nut Gap road, " 1823, \$2,452 00 | | |
| Do. do. " 1829, 1,200 00 | | |
| | 3,652 00 | |
| Road from Woody's to Tennessee line, by act of 1820, \$1,500 00 | | |
| Do. do. " 1821, 1,000 00 | | |
| | 2,500 00 | |
| Deep Gap Road " 1820, \$1,500 00 | | |
| Do. do. " 1821, 774 50 | | |
| | 2,274 50 | |
| " Road from Laurel Hill to Wilksboro', by act 1822, | 225 50 | |
| Swannanoa Road, " 1820, | 4,500 00 | |

[A CONTINUED.]

| | | | |
|--|----------|-----------|-------------|
| " Road from Jefferson to Tennessee line, act 1824, | | 300 00 | |
| " Road from Huntsville to Virginia line, act 1826, | | 500 00 | |
| " Road from Wilksboro' to Mrs. Bogle's by act 1824, | \$500 00 | | |
| Do. do. resolution, 1825, | 200 00 | | |
| | | 700 00 | |
| " Road from Columbia by Gum Neck and Frying Pan, by act of 1825, | | 800 00 | |
| | | | \$16,452 00 |
| " Advanced for old Fort Road on loan, by act of 1829, | | 2,000 00 | |
| " Do. Tennessee river Turnpike, act 1831, | | 2,000 00 | |
| | | | 4,000 00 |
| " 100 shares in Buncombe Turnpike Road | | 5,000 00 | |
| " 100 do. Plymouth do. | | 2,500 00 | |
| | | | 7,500 00 |
| <i>Canals.</i> | | | |
| " 25 shares in Clubfoot & Harlow Creek Canal Co. by act of 1818, | | 2,500 00 | |
| 50 do. do. do. 1821, | | 5,000 00 | |
| 75 do. do. do. 1824, | | 7,500 00 | |
| Advanced on loan, do. 1826-7, | | 12,000 00 | |
| do. do. do. 1828, | | 6,000 00 | |
| | | | 33,000 00 |
| <i>Rivers.</i> | | | |
| 250 shares Yadkin river, act 1816 | | 25,000 00 | |
| 80 do. Tar river of which the State has paid | | 1,200 00 | |
| 60 do Neuse river \$6,000 of which the State has paid | | 1,800 00 | |
| 60 do. North Carolina Catawba Co. of which the State has paid | | 2,400 00 | |
| 250 do. Roanoke, N. C. 1815, \$25,000 00 | | | |
| 250 do. do. do. 1823, 25,000 00 | | | |
| | | 50,000 00 | |
| 50 do. Cape F'r N. C. 1815, 15,000 00 | | | |
| 00 do. do. 1823, 25,000 00 | | | |
| | | 40,000 00 | 120,400 00 |

[A CONTINUED.]

| | | | |
|--|--|------------|------------|
| " Appropriated to Broad river by act 1820, | | \$5,000 00 | |
| Deduct amount appropriated to Hickory- Nut Gap Road " 1823, | | 2,452 00 | |
| | | 2,548 00 | |
| Appropriated to Cape Fear river, below | | 20,000 00 | |
| Wilmington, by act of 1822, | | 6,000 00 | |
| Do. do. 1825, | | 5,000 00 | |
| Do. do. 1826, | | 6,232 00 | |
| Do. do. 1827, | | 2,498 16 | |
| Do. do. 1828, | | 427 20 | |
| Do. to Lumber river, do. 1822, | | | 42,705 36 |
| Total amount expended, | | | 295,146 98 |

[B.]

STATEMENT

Of Money expended by the State of North Carolina for Internal Improvements, from December 1827, up to 1st November, 1840.

| | | |
|--------|---|----------|
| 1827 | | |
| Dec. | Paid Alanson Nash, Engineer, | 1,175 62 |
| 1828 | | |
| Jan. | " Superintendent of works on Cape Fear River, | 27 27 |
| | " for opening Road from Columbia to Green Neck and Frying Pan, | 800 00 |
| | " James Patton, per resolution General Assembly, | 275 00 |
| | " Commissioners of State Road, from Jefferson to Tennessee line, | 51 87 |
| | " Wm. Gaston for defending suit in the Supreme Court, Euchilla & Tonnaguska, Plaintiffs, | 100 00 |
| | Paid Andrew Joyner, | 50 40 |
| | " Commissioners of Road from Huntsville to the Virginia line, | 500 00 |
| | " Alanson Nash, Engineer, | 62 30 |
| | " R. H. B. Brazier, assistant do. | 179 05 |
| | " Alanson Nash for Survey of Swamp Lands, | 70 00 |
| | " Joseph Gales for Stationery and Advertising, | 59 78 |
| | " for Surveying Big Swamp, in Robeson County, | 400 00 |
| | " Members of the Board and Secretary, | 200 40 |
| March, | " James Mebane, superintendent of works on Cape Fear, | 100 00 |
| April, | " Expenses of working dredging machine below Wilmington, | 831 14 |
| | " Drafts of A. Nash, for expenses of work done below Wilmington, | 1,632 00 |
| May, | " Survey of Mahan Swamp, in Northampton county, | 75 75 |
| June, | " on account of works below Wilmington, | 350 00 |
| | " Members of the Board of Internal Improvements, | 236 60 |
| | " for work done below Wilmington, | 250 00 |
| July, | " James Mebane, superintendent in works on Cape Fear, for expenses and part of additional subscription for Stock in Cape Fear Navigation company, | 500 00 |
| | " Expenses of work below Wilmington, | 280 00 |
| | " Alanson Nash, salary and expenses, | 1,271 76 |

[B CONTINUED.]

| | | | |
|--------|---|--|----------|
| 1828 | | | |
| July, | " | do for expenses on Cape Fear, above Wilmington, | 70 55 |
| | " | do. Balance of account, | 22 70 |
| | " | do. for making examination of Cape Fear, between Wilmington and Fayetteville, | 51 35 |
| Sept. | " | H. James, superintendent, for expenses on work below Wilmington, | 800 00 |
| | " | J. Mebane, superintendent, part of State's subscription for Cape Fear Nav. Stock, | 700 00 |
| Oct. | " | R. H. B. Brazier, for Maps of Uhara, Great Swamp, and Mattamuskeet Swamp, | 50 00 |
| | " | H. James, expenses on works below Wilmington, | 400 00 |
| | " | A. Nash, Engineer, for examination of Cape Fear, between Haywood and Wilmington, | 50 00 |
| Nov. | " | do. for expenses below Wilmington, | 75 00 |
| | " | H. James, superintendent do. do. | 400 00 |
| | " | Members of the Board, | 88 20 |
| | " | A. Nash, salary and expenses, | 195 97 |
| Dec. | " | C. Phelps, | 136 27 |
| 1829 | | | |
| | " | Joseph Gales and Son, | 34 90 |
| | " | Members of the Board, | 68 90 |
| Feb. | " | James Manning, President of the Club Foot and Harlow Canal Company, amount of loan by act of Assembly, | 3,000 00 |
| | " | J. Mebane, superintendent works on Cape Fear, out of State's subscription, | 500 00 |
| | " | Members of the Board, | 120 40 |
| | " | H. James, superintendent below Wilmington, | 500 00 |
| March. | " | H. James, superintendent, expenses of dredging machine, | 400 00 |
| | " | do. do. on works below Wilmington, | 216 16 |
| | " | J. Mebane, superintendent, out of States' subscription, | 500 00 |
| | " | A. Nash, Engineer, in full for Surveys, | 75 00 |
| April. | " | H. James, superintendent, work of dredging machine, | 400 00 |
| May, | " | James Mebane, superintendent, works on Cape Fear, | 500 00 |
| | " | Members of the Board, | 95 70 |
| July. | " | H. James, superintendent, dredging machine, | 400 00 |

| | | |
|--------|--|----------|
| 1829 | | |
| July. | Paid James Manning, President Clubfoot and Harlow Canal company, loan by act of Assembly 1828, | 3,000 00 |
| | " H. James, for work done near Campbell's Island, | 182 00 |
| | " Members of the Board, | 43 60 |
| Aug. | " James Mebane, Superintendent, works on Cape Fear, | 500 00 |
| Sept. | " Gov. Owen, Member of the Board, | 36 00 |
| | " James Mebane, Superintendent, works on Cape Fear, | 500 00 |
| Nov. | " do. do. do. | 500 00 |
| | " For Survey of Road from Pettigrew's Canal to Cahorn Lake, | 50 00 |
| | " Members of the Board, | 121 99 |
| | " Lawrence & Lemay for Reports, | 2 68 |
| Dec. | " James Mebane, Superintendent, balance due upon account, | 513 93 |
| 1830 | | |
| Jan. | " M. Campbell, member of Board, | 20 00 |
| | " J. Wellborn, Commissioner for making road in Iredell county, | 37 00 |
| | " James Mebane, Superintendent, works on Cape Fear, | 500 00 |
| March. | " John G. Roulhac, Treasurer of Plymouth Turnpike company, 4th instalment on 100 Shares stock, | 400 00 |
| April. | " James Mebane, Superintendent, on works on Cape Fear, | 500 00 |
| May. | " do. do. do. | 500 00 |
| | " David L. Swain, agent for Commissioners for improving Old Fort road, in Burke county, by act of Assembly 1829, | 2,000 00 |
| | " David L. Swain, agent for Hickory Nut Gap road, act of Assembly 1839, | 1,200 00 |
| June. | " J. Mebane, Superintendent, | 500 00 |
| July. | " J. G. Roulhac, Treasurer Plymouth Turnpike company, 5th instalment on 100 shares, | 1,000 00 |
| Sept. | " James Mebane, Superintendent, | 750 00 |
| | " Robert Burton, Treasurer of Catawba company, 4th instalment of State's subscription, | 600 00 |
| Oct. | " James Mebane, Superintendent, | 750 00 |
| Nov. | " Members of the Board, | 132 90 |
| | " James Mebane, Superintendent, | 1,398 69 |
| | " J. Gales & Son, for advertising and stationery, | 15 70 |

[B CONTINUED.]

| | | |
|--------|--|----------|
| 1830 | | |
| Dec. | Paid Members of the Board, | 167 00 |
| 1832 | | |
| Jan. | " Green B. Palmer for work done on Broad River Road, per resolution 1831, | 1,500 00 |
| Feb. | " James Wyche for procuring an Engineer to survey the route for the Wilmington Central Rail Road, authorised 1831, | 200 00 |
| April. | " James Mebane, | 62 49 |
| | " W. T. Pratwood, | 60 00 |
| June. | " Francis W. Rawle for survey of two routes, | 300 00 |
| | " R. B. Brazier for expenses and survey on Central Rail Road, | 76 12 |
| | " Proprietors of Tennessee River Turnpike, loaned by act of Assembly 1831, | 2,000 00 |
| | " A. G. G. Keen, to be expended on Cape Fear River, | 500 00 |
| July. | " F. W. Rawle, to be expended on Survey of routes for Central rail road, | 500 00 |
| Aug. | " F. W. Rawle, Engineer, to be expended on survey of rail road routes, | 400 00 |
| Sept. | " James Wyche, Superintendent public works, | 100 00 |
| | " A. G. Keen, to be expended on Cape Fear river, | 1,000 00 |
| | " Will. R. Hill, Secretary to the Board, | 15 00 |
| | " F. W. Rawle, to be expended on rail road routes, | 700 00 |
| Oct. | " do do | 2,300 00 |
| Nov. | " A. G. Keen, for services and expenditure on Cape Fear, | 258 76 |
| Dec. | " James Wyche, balance wages and postage account, | 78 92 |
| 1833 | | |
| July. | " William Hill, Secretary, | 9 00 |
| | " James Mebane, President Cape Fear Navigation company, | 896 25 |
| | " James Wyche, Superintendent, salary, | 50 00 |
| | " do do | 25 89 |
| Nov. | " Wm. R. Hill, Secretary, | 21 00 |
| 1834 | | |
| June. | " James Wyche, salary and expenditure, | 200 00 |
| Dec. | " do do | 5 28 |
| | " W. R. Hill, Secretary, | |
| 1835 | | |
| | " James Wyche, | 21 00 |
| | | 20 35 |

| | | | | |
|--------|--|---------|----|----|
| 1837 | | | | |
| April. | Paid William T. Coleman, Secretary, | | 6 | 00 |
| | Stock in the Wilmington and Raleigh | | | |
| | rail road company, | 150,000 | 00 | |
| | Members of the Board, | 34 | 00 | |
| May. | do do | 66 | 25 | |
| | Clerk of the public Treasurer, | 63 | 00 | |
| July. | Members of the Board, | 89 | 00 | |
| | Clerk of the public Treasurer, | 51 | 00 | |
| Oct. | Members of the Board, | 38 | 00 | |
| 1838 | | | | |
| Jan. | Clerk of the Treasurer, | 42 | 00 | |
| Feb. | Members of the Board, | 56 | 00 | |
| | J. L. Smith, commissioner for construct- | | | |
| | ing road from Franklin, Macon coun- | | | |
| | ty, to the Georgia line, | 9,000 | 00 | |
| April. | Clerk of the public Treasurer, | 54 | 00 | |
| | Members of the Board, | 22 | 00 | |
| May. | For stock in the Wilmington and Ra- | | | |
| | leigh rail road company, | 150,000 | 00 | |
| | Members of the Board, | 191 | 00 | |
| Aug. | do do do | 85 | 00 | |
| Dec. | do do do | 176 | 50 | |
| 1839 | | | | |
| Jan. | Clerk of the public Treasurer, | 75 | 00 | |
| March. | do do do | 69 | 00 | |
| | Members of the Board, | 99 | 50 | |
| April. | do do do | 83 | 50 | |
| May. | For Stock in the Wilmington and Ra- | | | |
| | leigh rail road company, | 8,000 | 00 | |
| July. | do do do | 150,000 | 00 | |
| | do do do | 142,000 | 00 | |
| | Clerk of the Treasurer, | 39 | 00 | |
| Sept. | Moses Addington, Commissioner for | | | |
| | State road, Cherokee county, | 1,350 | 48 | |
| Oct. | Members of the Board, | 118 | 50 | |
| Dec. | State Road, Cherokee county, | 7 | 52 | |
| | Clerk of the Treasurer, per resolution, | 250 | 00 | |
| 1840 | | | | |
| | Members of the Board, | 125 | 00 | |
| Feb. | do do do | 73 | 25 | |
| April. | Clerk of the Treasurer, | 72 | 00 | |
| | D. G. McRae, special agent of the Board | | | |
| | to receive subscriptions for Stock in | | | |
| | the Fayetteville and Western rail road, | 112 | 50 | |
| | S. Cotten, Agent do do | 375 | 00 | |
| May. | Major W. Gwynn, for survey of Nags- | | | |
| | head, | 500 | 00 | |
| June. | Members of the Board, | 107 | 00 | |

[B CONTINUED.]

| | | |
|---------|--|------------------|
| 1840 | | |
| June. | Paid S. Colten, agent, Major W. Gwynn, survey Nags- head, | 375 00 782 00 |
| July. | Members of the Board, Expense of copying map and report of W. Gwynn, on opening inlet at Nagshead, | 36 75 40 00 |
| Aug. | Balance of compensation to W. Gwynn, for surveying Nags- head, | 1,014 24 |
| Oct. | Members of the Board, | 35 00 |
| 1828 | | |
| Jan. 5. | Andrew Joyner, Treasurer Roan- oke Navigation Company, 13th instalment on 250 shares of stock owned by the State, | 1,000 00 |
| 1829 | | |
| May. | do do being the 1st and second instalment on 250 shares per resolution of General Assem- bly 1828, | 10,000 00 |
| Oct. | do do being the 3d in- stalment on 250 shares stock, | 5,000 00 |
| Nov. | do do 4th instalment do, | 5,000 00 |
| 1830 | | |
| Feb. | do do part of an instal- ment, do, | 4,500 00 |
| 1832 | | |
| April. | do do in full last instal- ment, do, | 500 00 |
| 1827 | | |
| Dec. | The 6th instalment for stock in the Buncombe Turnpike company, | 1,000 00 |
| | | <hr/> 689,264 99 |
| | <i>Deduct from the above amount of Ex- penditures, the following items em- braced in the extract of the report of the Board for Internal Improve- ments, from December 1827, to Dec. 1833.</i> | |
| | Paid for survey of Swamp Lands, | 455 75 |
| | Alanson Nash, Engineer, | 1,663 91 |
| | Survey of Central Rail Road, | 3,575 28 |
| | do. Cape Fear and Yadkin, | 3,447 18 |
| | Expenses of the Board since 1827, | 1,216 12 |
| | Contingent expenses, | 372 86 |
| | Hickory Nut Gap Road, 1829, | 1,200 00 |
| | Road from Columbia, by Gum Neck, | 800 00 |
| | Advanced for Old Fort Road, | 2,000 00 |

[B CONTINUED.]

| | | |
|---|----------|--------------------|
| Amount brought forward, | | 689,264 99 |
| Advanced Tennessee River Turnpike, | 2,000 00 | |
| Paid Plymouth Turnpike company, | 1,400 00 | |
| Clubfoot and Harlow Canal co., | 6,000 00 | |
| Cape Fear Navigation Stock, | 8,508 87 | |
| Works below Wilmington, | 2,498 16 | |
| Road from Huntsville to Virginia line, | 500 00 | |
| | | <hr/> 35,633 13 |
| | | 653,626 86 |
| To this sum, add the amount of Ex- penditures as per report of Board of Internal Improvements, Dec. 4, 1833, of, | | 295,146 93 |
| Makes the total amount of expenditures, from 1817, up to 1st Nov. 1840, | | <hr/> \$948,773 84 |

STATEMENT

Of expenditures for draining swamp lands to Nov. 1st. 1840.

| | | | |
|---------|--|----------|--|
| 1837 | | | |
| Oct'er | Paid Charles B. Shaw, Engineer, for the purpose of purchasing Instruments, | \$792 00 | |
| Dec'er | " C. C. Battle for draining swamp lands, | 3,000 00 | |
| 1838 | | | |
| May | " P. C. Busbee, acting Secretary do. | 325 00 | |
| June | " C. B. Shaw, Engineer, quarter salary, | 625 00 | |
| July | " Do. for defraying expenses of draining swamp lands, | 1,081 64 | |
| August | " Do. do. do. | 850 00 | |
| Sept'er | " Do. do. for quarter salary, | 625 00 | |
| Oct'er | " Do. do. to pay salaries and other expenses | 850 00 | |
| Dec'er | " Do. do. for two months and $\frac{2}{3}$ services, | 572 67 | |
| " | " Messers. Carter & Gibb's estimate of their work on Alligator Canal, | 224 85 | |
| 1839 | | | |
| June | " W. P. Mumford, acting Engineer, | 500 00 | |
| " | " Do. do. to defray expenses, | 1,000 00 | |
| " | " Do. do. to pay Attornies Toole and Rodman for drawing deeds, | 250 00 | |
| Feb'ry | " Carter & Gibbs for $\frac{2}{3}$ of the estimate of work on Alligator Canal, | 363 93 | |
| April | " President of the Board of Literature and W. Gwynn's expenses of visit of examination of swamp lands, | 69 35 | |
| " | " R. L. Myers, assistant Engineer, to defray expenses of draining, | 800 00 | |
| May | " Do. do. do. | 750 00 | |
| July | " R. L. Myers and W. P. Mumford, assistant Engineers, for expenses for draining swamp lands, | 1,600 00 | |
| August | " J. E. Everett for estimate of work on Pungo Canal, | 792 30 | |
| Sept'er | " Do. do. do. | 900 00 | |
| 1839 | | | |
| Sept'er | " R. L. Myers, Engineer on Pungo Canal, | 2,000 00 | |
| 1840 | | | |
| Jan. | " W. P. Mamford, Engineer to meet expenses of survey, | 600 00 | |
| " | " E. L. Myers, the expenses of first quarter this year, | 800 00 | |
| " | " J. & E. Everett, estimate of work from 9th Sept. to 18th Dec. 1839, | 1,022 50 | |
| Feb'ry | " W. P. Mumford to meet expenses of swamp lands, | 500 00 | |
| " | " W. Gwynn on account of salary, | 1,200 00 | |
| March | " Everett, Dickerson & Hammond for estimate of work done on Pungo Canal, | 2,227 50 | |
| " | " Do. do. for work done from 29th Feb. to 28th March, | 1,800 00 | |
| April | " Hause & Whitehead for estimate done on Al- | | |

| | | | |
|---------|---|--------------------|--|
| 1840 | | | |
| May | ligator Canal, January, February and March, Paid R. L. Myers, expense of constructing bridge over Pungo Canal, | \$2,568 00 | |
| | " W. P. Mumford, to pay contingent expenses on Alligator Canal, | 400 00 | |
| | " Everett, Dickerson & Hammond for 3-4 amt. of work done on Pungo Canal from 25th March to 25th April per estimate. | 360 00 | |
| June | " Hause & Whitehead per estimate of work done on Alligator Canal from 1st April to 15th May, | 2,475 00 | |
| | " Everett, Dickerson & Hammond, for work on Pungo Canal, from 26th of April to 6th of May, as per estimate, | 1,670 85 | |
| July | " W. Gwynn, Engineer on acct. of salary, | 1,237 50 | |
| | " Everett, Dickerson & Hammond for work on Pungo Canal, from the 1st to 27th June, per estimate, | 1,000 00 | |
| August | " C. C. Battle, Secretary, for the purchasing of a level for use swamp lands. | 2,362 50 | |
| | " Hause & Whitehead, for estimate of work on Alligator Canal, as per estimate, | 90 00 | |
| | " Everett, Dickerson & Hammond for work on Pungo Canal, up to 7th August, per estimate, | 3,003 75 | |
| | " W. P. Wumford, assistant Engineer on Al- ligator Canal, per requisition, | 3,037 50 | |
| | " R. L. Myers, assistant Engineer, to meet contingent expense for work on Pungo Canal, | 360 00 | |
| July | " Everett, Dickerson and Hammond, for work done from 1st May to 1st June, | 350 00 | |
| Sept'er | " Hause & Whitehead, for work done on Al- ligator Canal, per estimate, | 2,700 00 | |
| | " Everett, Dickerson & Hammond, for work on Pungo Canal, per estimate, | 4,499 25 | |
| Oct'er | " Everett, Dickerson & Hammand, for reserv- ed 25 per cent. on estimates of work done on Pungo Canal, | 3,037 50 | |
| | " William Hill, Secretary, for 12 copies of the record of Grants, for swamp lands in the County of Hyde, | 8,000 00 | |
| | | 6 00 | |
| | | <u>\$63,279 59</u> | |
| 1837 | | | |
| July | Paid David Carter, Commissioner, in part of the amount set apart for draining Mattamuskeet Lake, | \$2,500 00 | |
| August | " Do. do. | 2,500 00 | |
| Sept'er | " Riley Murray, do. | 3,000 00 | |
| | | <u>\$8,000 00</u> | |

LEGISLATURE OF NORTH CAROLINA.

IN SENATE, DEC. 25, 1840.

ABSTRACT OF THE CENSUS

OF

NORTH CAROLINA,

FOR

THE YEAR 1840.

| Counties. | White Children of 5 & under 10. | Slaves. | Free persons of color. | Total White population. | Federal population. |
|------------|---------------------------------|---------|------------------------|-------------------------|---------------------|
| Ashe | 2748 | 500 | 59 | 6823 | 7182 |
| Anson | 3754 | 5385 | 142 | 9426 | 12799 |
| Bertie | 1849 | 6716 | 305 | 5162 | 9496 |
| Buncombe | 3571 | 1300 | 90 | 8698 | 9568 |
| Bladen | 1513 | 3416 | 292 | 4320 | 6661 |
| Brunswick | 1088 | 2107 | 374 | 2765 | 4404 |
| Beaufort | 2613 | 4512 | 709 | 7100 | 10515 |
| Burke | 4945 | 3215 | 264 | 12320 | 14413 |
| Cabarrus | 2675 | 2186 | 103 | 7148 | 8560 |
| Columbus | 1079 | 1087 | 56 | 2803 | 3515 |
| Carteret | 1873 | 1358 | 144 | 5087 | 6045 |
| Currituck | 1680 | 2100 | 149 | 4458 | 5869 |
| Chatham | 4019 | 5293 | 287 | 10582 | 14045 |
| Chowan | 987 | 3665 | 161 | 2864 | 5224 |
| Cherokee | 1293 | 199 | 23 | 3195 | 3357 |
| Cumberland | 3405 | 5374 | 842 | 9118 | 13184 |
| Camden | 1473 | 1559 | 153 | 3857 | 4950 |
| Caswell | 2796 | 7041 | 321 | 7293 | 11839 |
| Craven | 2372 | 5704 | 1111 | 6625 | 11153 |
| Duplin | 2301 | 4577 | 261 | 6340 | 9347 |
| Davie | 2133 | 1888 | 92 | 5595 | 6820 |
| Davidson | 4618 | 2538 | 131 | 11937 | 13587 |
| Edgecomb | 3141 | 7573 | 367 | 8073 | 12964 |
| Franklin | 2112 | 5339 | 436 | 5221 | 8860 |
| Granville | 3453 | 8454 | 804 | 9578 | 15454 |
| Gates | 1553 | 3647 | 381 | 4130 | 6704 |
| Greene | 1313 | 2963 | 248 | 3384 | 5412 |
| Guilford | 6113 | 2683 | 644 | 15901 | 18153 |
| Halifax | 2110 | 9651 | 1816 | 5488 | 13095 |
| Hertford | 1235 | 3465 | 815 | 3130 | 6024 |
| Haywood | 1937 | 308 | 21 | 4655 | 4861 |
| Hyde | 1537 | 2194 | 252 | 3982 | 5550 |
| Henderson | 1845 | 482 | 34 | 4612 | 4955 |

| | | | | | |
|-------------|---------|---------|--------|---------|---------|
| Iredell | 4417 | 3814 | 43 | 11723 | 14095 |
| Johnston | 2650 | 3501 | 123 | 7000 | 9223 |
| Jones | 693 | 2818 | 181 | 1968 | 5838 |
| Lincoln | 7767 | 5221 | 184 | 19703 | 23020 |
| Lenoir | 1441 | 3670 | 237 | 5699 | 6138 |
| Macon | 1762 | 361 | 52 | 4467 | 4736 |
| Martin | 1727 | 2825 | 392 | 4374 | 6435 |
| Montgomery | 3235 | 2497 | 72 | 8211 | 9782 |
| Mecklenburg | 4643 | 6288 | 102 | 12360 | 16236 |
| Moore | 2619 | 1474 | 72 | 6419 | 7370 |
| New-Hanover | 2105 | 6385 | 565 | 6356 | 10752 |
| Nash | 1832 | 3655 | 410 | 4937 | 7540 |
| Northampton | 2169 | 6758 | 792 | 5818 | 10625 |
| Onslow | 1631 | 2737 | 113 | 4677 | 6431 |
| Orange | 6363 | 6954 | 629 | 16766 | 21568 |
| Person | 2023 | 4351 | 210 | 5235 | 8056 |
| Pasquotank | 1666 | 2800 | 980 | 4746 | 7406 |
| Perquimons | 1590 | 3003 | 507 | 4035 | 6144 |
| Pitt | 2392 | 5646 | 30 | 6094 | 9512 |
| Rowan | 3252 | 3366 | 98 | 8644 | 10761 |
| Randolph | 4368 | 1392 | 362 | 11107 | 12303 |
| Rockingham | 3886 | 5305 | 291 | 10425 | 13799 |
| Robeson | 2263 | 2885 | 1223 | 6262 | 9216 |
| Richmond | 1725 | 3880 | 336 | 4693 | 7359 |
| Rutherford | 6396 | 3205 | 126 | 16098 | 18147 |
| Sampson | 2944 | 4344 | 249 | 7567 | 10420 |
| Surry | 5176 | 1778 | 208 | 13093 | 14368 |
| Stokes | 5151 | 2687 | 165 | 13380 | 15157 |
| Tyrrell | 1198 | 1413 | 87 | 3171 | 4106 |
| Washington | 893 | 1726 | 159 | 2686 | 3881 |
| Wilkes | 4291 | 1430 | 171 | 10976 | 12005 |
| Warren | 1651 | 8199 | 329 | 4391 | 9639 |
| Wayne | 2682 | 3673 | 466 | 6752 | 9422 |
| Wake | 4482 | 8104 | 1041 | 12071 | 17974 |
| Yancy | 2306 | 253 | 27 | 5724 | 5904 |
| | 186,433 | 246,917 | 22,724 | 487,298 | 657,938 |

| | |
|---|---------|
| Total White population, | 487,298 |
| Total number of White children of 5 and under 20, | 186,433 |
| " " Slaves, | 246,917 |
| " " Free persons of color, | 22,724 |
| Federal population, | 657,938 |

LEGISLATURE OF NORTH CAROLINA,

RALEIGH, DEC. 16, 1840.

MESSAGE

OF

THE GOVERNOR

IN RELATION TO THE

UNIVERSITY OF NORTH CAROLINA.

RALEIGH:

THOS. J. LEMAY, PRINTER FOR THE LEGISLATURE.

1840.

RESOLUTION

Concerning the University of North Carolina.

IN GENERAL ASSEMBLY OF N. C., }
December 17, 1840. }

"*Resolved*, That the Governor be requested to report to this General Assembly, the whole amount of property received by the University of North Carolina, from its establishment, in 1789, to this time, designating what kind of property received, whether of money, personal or real estate, from what source received, whether by subscription, legacy, donation or otherwise; and particularly, what amount and description of property received under the second section of said act, giving to said University all the property that has heretofore, or shall hereafter escheat to the State; and the expense incurred, and to whom paid, in managing, selling and collecting the funds arising therefrom; the number and condition of the buildings erected; the number of Professors; and whether any addition is required to either; also, the amount of property or funds belonging to the University at this time."

MESSAGE.

To the General Assembly of the State of North Carolina.

In compliance with the request contained in the foregoing Resolution, I have the honor to communicate the result of a hasty review of the wide field of enquiry proposed to me. The minute and laborious investigation which would be indispensable to the accurate ascertainment of all the facts to which my attention has been directed, would require the exclusive devotion of a much longer period of time to this object, than the unexpired portion of my term of service.

The forty-first section of the Constitution of the State, adopted on the 18th Dec. 1776, declares, "that a school or schools shall be established by the Legislature for the convenient instruction of youth, with such salaries to the masters, paid by the public, as may enable them to instruct at low prices; and [that] all useful learning shall be duly encouraged and promoted in one or more Universities."

The situation of the country rendered immediate obedience to this constitutional requisition impossible. The history of that eventful period, however, exhibits abundant evidence that the great men who then controlled the destinies of the State, had no disposition to evade or delay a compliance with this obligation.

The Constitution of the United States was adopted by North Carolina on the 21st Nov. 1789; and "the University of North Carolina" was incorporated on the 11th day of the following month.

The act of incorporation declares "that in all well regulated governments, it is the indispensable duty of every Legislature to consult the happiness of a rising generation, and endeavour to fit them for an honorable discharge of the social duties of life, by paying the strictest attention to their education; and that a University supported by permanent funds, and well endowed, will have the most direct tendency to answer this purpose."

A supplemental act, passed at the same session, endowed the Institution, with all the arrearages due the State, from receiving officers of the present and late governments, up to the 1st day of January, 1783; and with all the property that had theretofore, or should thereafter, escheat to the State.

By other statutes, grants of certain confiscated estates were made; and by an act passed in 1809, all monies remaining in the hands of executors and administrators, unclaimed by legatees or next of kin, and debts due to the State up to December, 1799, were vested in the

Trustees. In 1803, two Lotteries were drawn in aid of the University, under the authority of the General Assembly, from which the sum of \$5,080 80 cts. appears to have been realized.

The first meeting of the Trustees was held in Fayetteville, on the 15th November, 1790. Immediately after the organization of the Board, Mr. James Hogg presented a deed from Benjamin Smith, Esq., of Brunswick, subsequently Governor of this State, conveying to the University twenty thousand acres of land.

The Board of Trustees, at this meeting, adopted energetic measures to obtain donations from the friends of education throughout the State, and to realize the greatest amount of benefit from the endowment, by the collection of the public claims transferred to the Institution, and by securing and disposing of escheated estates. The anticipated degree of success was not realized from either of these sources; and but for the timely aid afforded by the Legislature, in the grant of a loan of \$10,000, in December, 1791, the wise and patriotic designs of the framers of our State Constitution must have been indefinitely postponed.

On the 3rd August, 1792, more than two years and a half after the charter was granted, the entire amount of property held by this Institution, consisted of the sum of \$2,706 41, invested in the funded debt of the United States; \$423 84 cash; subscriptions payable in five equal annual instalments, amounting to \$200; lands in Orange county, yielding an annual rent of \$33; and the lands before mentioned, given by Gov. Smith, which were at that time, and for more than twenty years thereafter in the occupancy of the Chickasaw Indians.

The loan of \$10,000, granted by the State in 1791, was subsequently converted into a gift; and since that donation, no direct advancement has at any time been made from the Public Treasury. The grant of confiscated estates was revoked in 1804; the donation of arrearages and debts due to the State, proved nearly unproductive; and with these exceptions, "this great and useful school was established and has been supported, since the 12th February, 1795, until the present time, by funds derived from *escheated estates*, and the donations of beneficent and patriotic individuals, influenced by a zeal for the morals, learning and liberties of the State."

It is impossible, as has already been intimated, to ascertain and designate, at present, the various kinds of property received by the Trustees since 1789; the sources from whence received, "whether by subscription, legacy, donation or otherwise; and particularly, the amount and description" of all the property that has escheated to the Institution, during a period of more than half a century, together with the

whole "expense incurred, and to whom paid, in managing, selling, and collecting the funds arising therefrom." Much of the information desired, would be alike useful and interesting; and I have the pleasure to state, that at a meeting of the Trustees, on the 19th inst., the proper measures were adopted to have these facts ascertained at the earliest period practicable.

It would be a grateful task to trace, and put upon record, all the sources from which the revenues of the Institution have been derived. It is due to the memory of the enlightened and patriotic dead, and might operate as a powerful and worthy incitement to the living.

The various sources of public patronage have been already indicated. The largest donations received from individuals, were the conveyance before mentioned, of 20,000 acres of land, by Gov. Smith; the devise of 13,000 acres of valuable land, by the late Maj. Charles Gerard; and the gift, by General Thomas Person, of Granville, of \$1,025 in cash, in April, 1796. The benefactions of the two latter gentlemen have been appropriately commemorated, by connecting their names with the Public Halls of the institution.

Shortly after the selection of Chapel Hill as the seat of the University, twelve individuals residing in the vicinity, conveyed to the Trustees, for no other consideration than that of enlightened patriotism, 1392 acres, including all the real estate at present held by the corporation.

Many of the early donations were very small; but the aggregate number indicates the general interest which the Institution excited throughout the community; and the slightest attention to the list of benefactions will shew, that the spirit of munificence has not expanded with the increasing wealth and population of the State.

In 1802, the ladies of Raleigh presented a pair of globes, with a compass; and in 1804, the ladies of Newbern a quadrant, "the best they could procure," as an evidence that the "sex could never be indifferent to the promotion of science, connected as it is with the virtues that impart civility to manners and refinement to life."

The earliest contributions to the Library were made by the late Judge Williams; James Reid, Esq., of Wilmington; Gen. William R. Davie, of Halifax; and David Kerr, Esq., of Chapel Hill, in 1795. By the late Richard Bennehan, Esq., of Orange; Abraham Hodge, Esq., of Halifax; the Centre Benevolent Society of Iredell; and Francis N. W. Burton, Esq., now of Murfreesborough, Tenn., in 1796. By the late William Henry Hill, Esq., and Edward Jones, Esq., of Wilmington; and Joseph P. Gautier, of Bladen, in 1797. By the late Governor Davie, of Halifax; and Joseph B. Hill, Esq., in 1799—and by General Calvin Jones, in 1800.

The aggregate amount of receipts into the Treasury of the University, from the 15th November, 1790, to 20th November, 1840, is composed of the following items, viz:

| | |
|---|----------------------|
| From the sales of lands in Tennessee, acquired under the laws regulating escheats, and of 33,000 acres acquired by donation and devise, | \$195,294 82½ |
| " The sales of lots in Chapel Hill, and other lands in North Carolina, | 13,520 00 |
| " Profits on two lotteries, | 5,080 80 |
| " Donation from the State, | 10,000 00 |
| " Subscriptions obtained in 1796, viz: in Hillsborough Dist., \$1,717 40—Halifax Dist., \$1,608—Newbern Dist., \$950—Fayetteville Dist., \$190—Wilmington Dist., \$2,022, | 7,684 40 |
| " Dividends on Bank Stock, | 33,028 50 |
| " Tuition fees since July, 1804, | 111,581 91 |
| " Subscriptions obtained by Doct. Caldwell, in 1809 and 1810, | 10,535 00 |
| " * All other sources—escheats in N. C.—balances unclaimed in the hands of executors and administrators—arrearages, interest, confiscated estates, subscriptions, &c., | 134,066 99 |
| | <hr/> |
| | <u>\$520,782 42½</u> |

The endowment of the University consists, at the present time, of about nine hundred acres of land, nearly surrounding the village of Chapel Hill, including the grounds on which the College edifices and the residences of The Faculty are situated.

The College buildings are five in number, constructed of brick, and in good repair.

The centre (known as the south) building, is three stories high above the basement story, 117 feet in length, and fifty feet in width, exclusive of the projection.

The east and west wings are three stories high, 96 feet seven inches long, and forty feet one and a half inches wide.

In addition to the Library, Laboratory, Philosophical Chamber, the two halls appropriated to the Literary Societies, and three recitation

* This item, made up from a hasty examination of a variety of accounts, stated by different persons, at different times, and extending through a period of fifty years, may, and probably will be found inaccurate, when an opportunity is afforded for careful computation.

rooms, these edifices contain sixty-five dormitories, 18 feet in length and 16 feet in width, affording comfortable accommodations to one hundred and thirty students.

Person and Gerard Halls are smaller structures, devoted to the public exercises of the institution and to Divine Worship.

The Steward's Hall is a plain framed building, pretty well suited to the purposes for which it was designed.

The Professors' houses are structures of a similar character, sufficiently neat and comfortable, but neither of them in a very good state of repair.

| | |
|--|----------------------------|
| The lands and edifices, chemical and philosophical apparatus, mineralogical and geological cabinets, and library, may be fairly estimated at | \$115,000 00 |
| 1,000 shares of stock in the Bank of the State of North Carolina, | 100,000 00 |
| Due on bonds, supposed to be entirely secure, about | 35,000 00 |
| Aggregate, | <u><u>\$250,000 00</u></u> |

The Faculty is composed of

1. The President, who is Professor of National and Constitutional Law.
2. A Professor of Chemistry, Mineralogy and Geology.
3. A Professor of Mathematics and Natural Philosophy.
4. A Professor of the Latin Language and Literature.
5. A Professor of the Greek Language and Literature.
6. A Professor of Rhetoric and Logic.
7. A Professor of the French Language and Literature.
8. A Tutor of Ancient Languages.
9. A Tutor of Mathematics.

The Faculty, as at present organized, consists of the same number of individuals that constituted it in 1827, while the number of students has more than doubled. The system of instruction at present, is believed, nevertheless, to be very efficient; and that a much greater necessity exists for another edifice, and an increase of the library, than for addition to the numerical strength of the academic corps.

The proposed edifice should contain more commodious halls for the two Literary Societies than those they now occupy; a library; and much more extensive and conveniently arranged lecture rooms, and recitation halls, than those in use. These important improvements, however, cannot be effected, unless a successful appeal can be made to individual or Legislative munificence.

The Report of the Treasurer of the Trustees exhibits a detailed

statement of the receipts and expenditures during the collegiate year. It will be perceived that the receipts somewhat exceed the expenditures. The amount of tuition fees has been greater during the past, than in any preceding year, and greater than can reasonably be anticipated for the future.

The Faculty are authorised, in all cases, where the applicant is a native of the State, sustains a fair moral character, and possesses the requisite mental endowments, natural and acquired, to admit him into any class in the institution, without charge, either for tuition or room rent.

Ten young men availed themselves of this liberal provision, during the past, and quite as great a number in each of the three preceding years.

The privilege might be extended to a much greater number, but for the want of dormitories. Thirty students were compelled, during the last session, to seek accommodation in the village. The proposition of the Trustees, which has been so long before the public, to instruct gratuitously any number of indigent young men, who are natives of the State, and for whom dormitories may be provided, would seem to appeal, with a force not easily to be resisted, to those whose peculiar duty it is to provide instruction at low prices, and to promote all useful learning at the University.

I cannot close this communication without congratulating the General Assembly upon the high character which this institution has sustained, at home and abroad, and the uniform and liberal support it has received, throughout almost the entire period of its history.

The subjoined table exhibits the number of students whose names are to be found upon the records, during the first session of each collegiate year since 1804. The whole number of matriculates was, in most instances, considerably greater. The average number for the last twenty years, will, it is believed, be found to exceed that of any similar institution in the southern or western States.

EDW'D B. DUDLEY.

Executive Office, }
Dec. 22, 1840. }

TABLE.

| Year. | Matriculates. | Graduates. | Year. | Matriculates. | Graduates. |
|-------|---------------|------------|-------|---------------|------------|
| *1798 | | 6 | 1820 | 127 | 25 |
| 1799 | | 10 | 1821 | 146 | 30 |
| 1800 | | 3 | 1822 | 165 | 28 |
| 1801 | | 9 | 1823 | 173 | 27 |
| 1802 | | 3 | 1824 | 157 | 34 |
| 1803 | | 3 | 1825 | 122 | 39 |
| 1804 | 60 | 6 | 1826 | 112 | 19 |
| 1805 | 57 | 3 | 1827 | 76 | 32 |
| 1806 | 67 | 4 | 1828 | 85 | 11 |
| 1807 | 40 | 6 | 1829 | 81 | 14 |
| 1808 | 46 | 13 | 1830 | 83 | 14 |
| 1809 | 36 | 10 | 1831 | 107 | 15 |
| 1810 | 61 | 3 | 1832 | 104 | 23 |
| 1811 | 54 | 1 | 1833 | 109 | 13 |
| 1812 | 57 | 10 | 1834 | 101 | 13 |
| 1813 | 97 | 14 | 1835 | 104 | 15 |
| 1814 | 80 | 16 | 1836 | 89 | 19 |
| 1815 | 83 | 18 | 1837 | 142 | 9 |
| 1816 | 92 | 15 | 1838 | 164 | 19 |
| 1817 | 108 | 10 | 1839 | 160 | 13 |
| 1818 | 120 | 14 | 1840 | 171 | 31 |
| 1819 | 120 | 11 | | | |
| | | Aggregate, | | | 631 |

* The number of Matriculates for the years previous to the organization of the Faculty by the appointment of a President, has not yet been accurately ascertained. The late Rev. Joseph Caldwell, D. D. the first President of the University, was appointed to that office 11th July, 1804. He had been principal Professor during the four preceding years, and Professor of Mathematics since 1st Nov. 1796.

The institution was first opened for the reception of Students, on the 13th of February, 1795. The aggregate number of Matriculates has been at least double that of the graduates.

LEGISLATURE OF NORTH CAROLINA.

IN SENATE, DEC. 31, 1840.

REPORT

OF

THE PUBLIC TREASURER

RELATIVE TO THE

SURPLUS REVENUE AND LITERARY FUND.

TREASURY OFFICE, }
DEC. 31ST, 1840. }

To the Honorable

Speaker of the Senate:

SIR: In obedience to a resolution directing the "Public Treasurer to furnish a statement of the amount of Surplus Revenue received from the General Government, and of the disposition and investment of the same, and also a statement of the whole Literary Fund, specifying what portion of it has been derived from the General Government, and what from other sources," the following statement is respectfully submitted.

Very respectfully,

Your obedient servant,

C. L. HINTON, *Pub. Treas.*

STATEMENT

Of the description of funds received by the State of North Carolina of the Surplus Revenue, and of the disposition and investments of the same under the Acts of the General Assembly of the State :

1st Instalment, received January 1837, in the following, viz :

| | | | |
|--|-----|---------------------------------|------------|
| Drafts of the Treasurer of U. States on Bank of the State of North Carolina, | | | 230,000 00 |
| Do. | do. | Merchant's Exchange Bank, N. Y. | 55,000 00 |
| Do. | do. | Leather Manufacturers, | 28,000 00 |
| Do. | do. | Phoenix Bank, | 80,000 00 |
| Do. | do. | Gerard Bank, | 84,919 13 |

| | |
|---|------------|
| Deposited in the Bank of the State of North Carolina, | 477,919 13 |
|---|------------|

2nd Instalment, received in April 1837, in

| | |
|---|------------|
| Drafts of the Treasurer of the United States, in the same Banks and of the like amounts of the 1st instalments, | 477,919 13 |
|---|------------|

Of this instalment, \$285,000 was deposited with the Bank of the State of North Carolina, and the balance of \$192,919 13, was deposited with the Bank of Cape Fear, at Wilmington; in the latter sum, the State received a premium $\frac{1}{2}$ of 1 per cent., amounting to \$964 60.

3rd Instalment, received July 1837, as follows, in

| | | | |
|---|--|-----------------------------------|------------|
| Drafts of the Treasurer of the United States, on Bank of the State of North Carolina, | | | 300,000 00 |
| | | Gerard Bank, Philadelphia. | 19,919 13 |
| | | Leather Manufacturers Bank, N. Y. | 28,000 00 |
| | | Phoenix Bank, | 80,000 00 |
| | | Merchant's Exchange, | 50,000 00 |

| | |
|---|------------|
| Deposited in the Bank of the State of North Carolina, | 477,919 13 |
|---|------------|

\$1,433,757 39

Of the amount of Surplus Revenue received by the State of North Carolina, there was appropriated by Acts of the General Assembly :

| | |
|--|--------------|
| 1st. To defray the civil and contingent expenses of the State government, | 100,000 00 |
| 2nd. For the redemption of the public debt due the United States, in trust for the Cherokee Indians, created for the purpose of paying the State's subscription for the stock in the Bank of the State of North Carolina, which stock constitutes a part of the fund belonging to the board of Literature, | 300,000 00 < |
| 3rd. For the payment of stock in the Bank of Cape Fear, subscribed for by the President and Directors of the Literary Fund, | 300,000 00 < |

| | | |
|---|-----------------------|---|
| 4th. For draining the Swamp Lands of the State under the directions of the Board of Literature, | 200,000 00 | ✓ |
| Of this sum, \$17,971 74 has been expended, the balance loaned to individuals and companies, | | |
| 5th. Invested in stock of the Wilmington and Raleigh Rail Road Company, by the board of Internal Improvement, | 533,757 39 | ✓ |
| | <u>\$1,433,757 39</u> | |

Funds of the Literary Board.

| | | |
|--|-----------------------|--|
| Stock in the Bank of Cape Fear, | 532,200 00 | |
| Do. do. State of North Carolina, | 500,000 00 | |
| Notes of individuals and corporations, | 155,943 75 | |
| Swamp Improvement, | 62,829 24 | |
| Bonds of Raleigh and Gaston Rail Road Company, | 140,000 00 | |
| Bonds of Wilmington and Raleigh do. | 85,000 00 | |
| Cash on hand, | 78,007 06 | |
| Cape Fear Navigation Company, | 37,500 00 | |
| Roanoke do. do. | 50,000 00 | |
| Stock in the Wilmington Rail Road Company, | 600,000 00 | |
| | <u>\$2,241,480 05</u> | |

Amount of Bank Stock paid for from

| | | |
|--|-----------------------|---|
| the Surplus, | 600,000 00 | < |
| “ Swamp Lands, | 200,000 00 | ✓ |
| “ Stock in the Wilmington and Raleigh Rail Road, | 533,757 39 | ✓ |
| | <u>\$1,333,757 39</u> | |

LEGISLATURE OF NORTH CAROLINA,
RALEIGH, DEC. 31, 1840.

REPORT
OF THE
COMMITTEE ON FINANCE.

The Committee on Finance, which was instructed by a resolution of the House of Commons, "to enquire whether the warrants paid by the Treasurer, and now on file in the Comptroller's Office, for clerk's hire for selling Cherokee lands; for \$625, compensation to S. F. Patterson, for 125 days services; of Lunsford Lane, as a servant in the Executive Office; for salaries of agents to obtain subscriptions to the Fayetteville and Western Rail Road, were drawn in conformity to, and by authority of law; and whether the bills for stationery and postage are reasonable; and to report thereon, to the General Assembly, annexing to their report the bills for stationery"—submit the following report:

1st. "*Clerks' hire for selling Cherokee Lands.*"

This amount was paid to certain clerks, employed by the commissioners for selling Cherokee lands, under the act of 1836. The accounts were paid by the Treasurer, on the warrant of the Governor.

The act of 1836, providing for the surveys and the sales of the Cherokee Lands, is very defective. For the purpose of illustration, the committee will point out one of these defects, which is a sample of many others. By the 9th section of the act, the Secretary of State is directed to issue grants, upon the production of certificates from the commissioners, by the purchasers, and proof of payment of the purchase money, made to the Secretary, by the *Treasurer's receipt*. Now, it would appear, from a strict construction of that part of the act, that the Secretary could issue the grants only upon the production of the Treasurer's receipt. By the 12th section of the act, it is provided that the commissioners of sale shall have power to receive the full amount of the purchase money, for any tract or tracts. It is clear, that in cases where the commissioners did receive the whole of the purchase money, the *Treasurer* could have given the purchaser no receipt therefor; and, under a strict construction of the act, the

Secretary could not issue a grant, because the purchaser could not have had the *Treasurer's receipt*. Of cases where the whole of the money was paid in advance, and receipted by the Commissioners, there were about one hundred; and in these cases the Secretary was induced to comply with what was evidently the meaning and intention of the Legislature, and issue grants when the purchase money had been paid to the *Commissioners* of sale, though, by a literal construction of the act, he could not have done so.

The act provides that the sale shall "continue for three weeks and no longer;" it also directs that the Commissioners shall expose to "sale to the highest bidder, commencing with the first district and first tract, and so on progressively, until the whole shall be so offered for sale." It is manifest that it was impossible for the commissioners to have sold the whole of the land in the limited time, without employing a crier and clerks. For each tract, one-eighth of the purchase money had to be paid in cash; and for the balance, four different bonds had to be taken; and it necessarily imposed much clerical labor. The act providing for the sales, did not authorise the Commissioners to employ any clerks; nor is there any express authority for the employment of a crier; yet the employment of these men was absolutely necessary. The commissioners gave to each of the clerks a certificate of the time he had served, without specifying the sum to which he was entitled. These certificates were presented to the Executive. After examining the act authorising and requiring the sale of the whole of the Cherokee lands, the *Governor* was satisfied that the act was *defective*, in so much that it had enjoined duties on the commissioners which they had not the physical power to perform, and that the employment of these clerks was absolutely necessary; and that, as the Governor was charged with the general execution of the law, he deemed it but a fair and necessary inference, that he was clothed with the power, and it was his duty to provide for the payment of the contingent expenses, necessarily incurred. He, therefore, issued his warrants for the payment of the clerks.

2nd. Compensation to S. F. Patterson: amount \$625.

The act referred to, provides that the surveyor shall make out three maps of the lands surveyed, one of which shall be deposited in the Governor's office, and one, together with the field books of all the surveys, in the Secretary's office. It is also provided that the commissioners shall give to each purchaser a certificate, describing the land by him purchased, with plot, &c. and the Secretary, upon evidence of the payment of the purchase money, is to issue a grant in

the *usual and common form*. The laws direct that when a grant is issued, there shall be attached one plot to the grant, and one plot is to be filed in the Secretary's office. Immediately after the Cherokee sales closed, about one hundred applications were made to the Secretary for grants in cases where the purchasers paid the whole purchase money. They produced the plot given by the commissioners, and on the plot was the receipt for the purchase money. The Secretary would not issue the grants, because if he attached the plot offered to the grant, there would be no evidence in his office that the purchase money had been paid; besides, every plot in the field books was signed by the deputy surveyors, and the law provides that the plots, where grants are issued, shall be signed by the principal surveyor. The Secretary, scrupulous of the oath he had taken, refused to issue the grants, unless duplicate plots were made out. In this state of things, it was obvious to the Governor, that the plain meaning and intention of the act could not be complied with, without duplicate plots were made out. The Governor, believing the act was defective in not providing that the commissioners should make out and give to the purchaser two plots, seeing the absolute necessity of having duplicates filed in the Secretary's office, and believing no one so well qualified to make out these duplicates as the commissioners themselves, directed them to make out one for each tract, and deposit them in the Secretary's office. The compensation was such as was fixed by law for the commissioners.

The committee *cannot* say that these sums were drawn from the Treasury in *strict* "conformity to and by authority of law." The Governor thought that the laws could not have been *strictly* complied with, without this expenditure.

3d. Lunsford Lane's services as a servant in the Executive Office.

Mr. Battle, the Governor's Private Secretary, employed this servant, under the authority to employ a doorkeeper for the Council, and felt justified by the propriety of the measure. The General Assembly had created two new boards—the Literary Board and Internal Improvement Board. These boards had to attend the Executive Office often, and their attention, together with the frequent necessary summonses of the Council, deprived the Private Secretary of his room, and required double attention of the Governor. The Secretary was compelled to give up his room, and the labor which those two boards imposed upon him, prevented his giving that attention to the Executive Office, which the Private Secretary had formerly done. The Governor did not think it was contemplated for him to do that work,

or have it done at his own expense; and hence the approval by the heads of the Departments of Lunsford Lane's bill, and of the Executive warrant.

4th. Salaries of Agents to obtain subscriptions to the Fayetteville and Western Rail Road.

The committee do not find any *express* authority for the employment or payment of these agents.

The Board of Internal Improvement was required, co-ordinately with the Fayetteville and Western Rail Road Company, to cause books of subscription to be opened, in such way, under *such rules*, at *such places* and *times*, and by *such persons as they should think proper*. The board believed, that the desire which the Legislature evinced in directing that three fifths of the stock of that company should be taken by the State, justified them in departing from the usual course of obtaining subscriptions: and they, therefore, resorted to the only measure from which there was any hope of success, namely, the employment of some active agent to take up the subscriptions. The Governor issued his warrant for the payment of these agents, believing the circumstances of the case justified him in doing so.

The bills for stationery and postage are hereto attached. The postage bill, is at the established prices—we cannot decide whether it be reasonable or not, nor can we ascertain whether all the letters have been on public business. The alteration in the manner of appointing Field Officers of the Militia has created the necessity of frequent communications with the Governor, enclosing resignations, or applying for commissions. This alone, has added a considerable amount to the postage bill for the Executive Office.

The bills for stationery are large. Some items in them appear to be charged at high prices. The quantity absolutely necessary, we have no means of arriving at. The creation of the two boards before alluded to, has increased, in a considerable degree, the necessity for stationery in the Executive Office; and the duties connected with the Cherokee land sales have increased it in the Treasurer's and Comptroller's offices. A large amount is required for the use of the General Assembly—doubtless, more is used by the members than is necessary; yet we cannot think of restricting the Representatives of the people from the use of the public stationery, as it would be imposing a still heavier burden on them. An Act, passed in 1827, chapter 39, directs the Secretary of State "to purchase annually upon the best terms upon which the same can be procured, suitable stationery for the Executive Office and Departments, and for the use

of the Legislature; a reasonable sum to purchase which, shall be advanced by the Treasurer to the Secretary, the account for which, containing the quantity bought, and the price paid for it, shall be audited by a board to consist of the heads of the Departments."

All which is respectfully submitted.

H. G. SPRUILL, *Chairman*

POSTAGE ACCOUNTS.

EXECUTIVE OFFICE.

| | |
|-------------------------------------|---------|
| 1838, July, Postage of Letters, | \$45 66 |
| August, " | 28 68 |
| September, " | 31 87 |
| Newspapers, | 6 06 |
| October, postage of Letters, | 36 76 |
| November, " | 30 00 |
| 1839, December and January, | 25 20 |
| Newspapers, | 6 06 |
| February, Postage of Letters, | 18 55 |
| March, " | 20 73 |
| Newspapers, | 6 06 |
| April, Postage of Letters, | 15 11 |
| May, " | 9 49 |
| June, " | 39 00 |
| Newspapers, | 3 85 |
| July, Postage of Letters, | 20 71 |
| Aug. & Sept. " | 47 39 |
| Newspapers, | 3 97 |
| Oct. to Nov. 4, Postage of Letters, | 19 14½ |
| Oct. & Nov. " | 18 29 |
| December, " | 16 02 |
| Newspapers, | 3 97 |
| 1840, January, Postage of Letters, | 34 54 |
| February, " | 22 54 |
| March, " | 35 13 |
| Newspapers, | 4 10 |
| April, Postage of Letters, | 21 99 |
| May, " | 66 53 |
| June, " | 22 89 |
| Newspapers, | 4 10 |
| July, Postage of Letters, | 20 25 |
| August, " | 75 82 |
| September, " | 25 51 |
| Newspapers, | 4 10 |
| | <hr/> |
| | 790 034 |

ADJUTANT GENERAL'S OFFICE.

| | |
|-------------------------------------|---------------|
| 1838, July, Postage of Letters, | 45 |
| September, " | 1 51 |
| July, " | 45 |
| September, " | 1 51 |
| October, " | 19 72 |
| November, " | 10 47 |
| Dec. & Jan. " | 1 37 |
| 1839, February, " | 1 19 |
| March, " | 38 |
| 1838, July, " | 45 |
| September, " | 1 51 |
| October, " | 19 72 |
| November, " | 10 47 |
| Dec. & Jan. 1839, | 1 37 |
| 1839, February, Postage of Letters, | 1 19 |
| March, " | 38 |
| April, " | 21 75 |
| May, " | 20 |
| July, " | 10 |
| Aug. & Sept. " | 25 28 |
| Oct. & to Nov. 4, " | 17 01 |
| | <u>136 48</u> |

TREASURER'S OFFICE.

| | |
|-------------------------------------|-------|
| 1838, July, Postage of Letters, | 81 |
| August, " | 44 |
| September, " | 3 17 |
| October, " | 17 57 |
| November, " | 1 86 |
| Dec. & Jan. " | 4 08 |
| Newspapers, | 65 |
| 1839, February, Postage of Letters, | 4 17 |
| March, " | 1 02 |
| Newspapers, | 65 |
| April, Postage of Letters, | 48 |
| May, " | 2 62 |
| June, " | 1 62 |
| July, " | 3 02 |
| Aug. & Sept. " | 2 99 |
| Oct. & Nov. " | 6 17 |

| | |
|---------------|--------------|
| December, " " | 1 01 |
| January, " " | 1 01 |
| | <u>54 33</u> |

COMPTROLLER'S OFFICE.

| | |
|-------------------------------------|--------------|
| 1838, July, Postage of Letters, | 2 59 |
| August, " " | 4 09 |
| September, " " | 2 11 |
| Newspapers, | 65 |
| October, Postage of Letters, | 2 64 |
| November, " " | 61 |
| Dec. & Jan. " " | 5 33 |
| Newspapers, | 72 |
| 1839, February, Postage of Letters, | 2 87 |
| March, " " | 2 53 |
| Newspapers, | 72 |
| April, Postage of Letters, | 1 28 |
| May, " " | 1 04 |
| June, " " | 1 53 |
| Newspapers, | 65 |
| July, Postage of Letters, | 2 41 |
| Aug. & Sept. " " | 6 14 |
| Oct. & Nov. " " | 3 01 |
| Newspapers, | 65 |
| December, Postage of Letters, | 1 60 |
| January, " " | 1 68 |
| 1840, February, " " | 1 49 |
| March, " " | 2 38 |
| Newspapers, | 72 |
| | <u>49 44</u> |

BILLS FOR STATIONERY.

| | | | | |
|---------|----|--|--------|----------|
| 1838 | | | | |
| Nov'er | 2 | To 24 reams fine medium paper, at | \$4 40 | \$105 60 |
| | | 2 do. flint lined, at | 4 00 | 8 00 |
| | | 16 do. letter paper, at | 3 00 | 48 00 |
| | | 1 do. superfine, at | 4 00 | 4 00 |
| | | 2 do. Folio Post, at | 6 50 | 13 00 |
| Dec'er | 7 | 1 Large 10 qrs. folio super. Russian bonds, | | 25 00 |
| | | 1 Journal, 5 qrs. for Comptroller's office, | | 8 25 |
| | 12 | 2 McRea's map of N. Carolina for Legislature, | | 16 00 |
| 1839 | | | | |
| Jan'ry | 8 | 1 Public instructions on Russia, | | 1 25 |
| | 14 | 1 Bottle of Ink for Treasurer, | | 50 |
| | 15 | 6 Lead pencils Executive office, at | 10 | 60 |
| | 17 | 1 Rolet's interest table for do. | | 5 00 |
| | 30 | 1 Bottle red ink for Treasurer, | | 15 |
| Feb'ry | 8 | 1 Large alphabetical index do. | | 1 00 |
| | | 2 Cards metallic pens Executive office, | | 2 00 |
| | 19 | 6 Lead pencils for Treasurer, | 5 | 30 |
| March | 18 | Putting up and forwarding 28 N. C. reports, | | 7 00 |
| April | 17 | 4 qrs. P. O. paper for B. Daniel Adj. General, | | 1 40 |
| | | 1 Record book for Secretary of State, | | 15 00 |
| May | 29 | 1 Ream letter paper for Treasurer, | | 5 25 |
| June | 6 | 1 Doz. lead pencils Executive office, | | 1 00 |
| | 7 | 1 Fountain ink stand do. | | 2 00 |
| | | 1 Bottle blue ink do. | | 60 |
| | 15 | 6 Sticks sealing wax, at | 12½ | 75 |
| | 18 | 4 Bunches quills Secretary of State, at | 87½ | 3 50 |
| July | 20 | 2 Paper holders Comptroller's office, | | 50 |
| August | 2 | 1 Bottle red ink do. do. | | 50 |
| | 5 | 2 qrs. P. O. paper Treasurer's office, | | 85 |
| | 10 | 1 Scraper for Comptroller's office. | | 75 |
| | 21 | Putting up and folding 28 N. C. reports, at | 25 | 7 00 |
| | 29 | 2 Bunches quills Comptroller's office, | | 1 40 |
| | 31 | 1 Bottle Blue ink Executive office, | | 60 |
| | | 1 Piece of India rubber do. | | 25 |
| Sept'er | 6 | Cutting blank acct. currents Comptroller's office, | | 25 |
| 1838 | | | | |
| April | | 1 Blank book for Secretary's office, | | 1 25 |
| | | 1 quire letter paper do. | | 30 |
| March | 4 | 4 Lead pencils at 5 cts., Treasurer's office, | | 20 |
| | | 1 Ream letter paper ruled do. | | 5 50 |
| | | 1 Oz. wafers for Adj. General's office, | | 15 |
| | | 1 Quire enveloping paper for do. | | 40 |
| | | 1 Sand box for Gov. office, | | 50 |
| | | 1 Box wafers do | | 60 |
| | | 1 Bottle blue ink | | 40 |
| | 28 | 1 Bottle red ink Treasurer, | | 39 |
| July | 2 | 1 Card metallic pens do. | | 1 00 |
| | 6 | 2 do. do. Gov. office, | | 2 00 |

| | | | |
|---------|------|---|--------|
| 1838 | | | |
| | 41 | 1 Ball twine Treasurer, | 40 |
| August | 13 | 1 Ream paper Executive office, | \$5 50 |
| | | 1 Bottle red ink Comptroller's office, | 40 |
| | | 1 Bunch quills, fine, Governor's office, | 1 00 |
| Sept'er | 6 | 2 Bottles black ink, at 4s. do. | 80 |
| | | 1 Ream letter paper, fine, do. | 5 50 |
| | | 1 Bottle black ink (large) Comptroller, | 50 |
| | 13 | 5 Quires cap paper, fine, for Comptroller's blanks, | 1 50 |
| Oct'er | 31 | 1 Oz. wafers for Treasurer, | 15 |
| Nov'er | 1 | Cash paid Jas. McKimmon for 2 candlesticks, | 30 |
| | 2 | 1 Dist. school, Governor, | 1 25 |
| | | 1 Leiber report, do. | 1 50 |
| | 3 | 19-12 doz. steel pens, at 75 cts., Treasurer, | 1 31 |
| | 7 | 1 Box black sand, large, do. | 1 20 |
| | 10 | 1 American Almanac, 1839, Governor, | 1 00 |
| | 14 | 1 Ream sup. cap paper, do. | 6 50 |
| | | 4 Cards steel pens, do. | 4 00 |
| | | 1 Large index, calf bound, Comptroller, | 1 50 |
| | 17 | $\frac{1}{2}$ Doz. ink powders, at 7s. 6d., Green Hill, | 38 |
| | 19 | 2 Ink stands, fine cut glass, at 15s. Mr. Page, | 3 00 |
| | | 1 Ream cap paper, sup. Latine, per Mr. Moody, | 6 50 |
| | | 1 Bottle black ink, per do. | 50 |
| | 29 | 9 Doz. metallic pens, fine, at 10s., Sec'y of State | 9 00 |
| | | 1 Cork inkstand, do | 75 |
| | | 3 Metal do. at \$5 25, do. | 15 75 |
| | | 3 Quills, fine, at \$27 50, do. | 82 50 |
| | | 6 Doz. lead pencils, at \$1 00, do. | 6 00 |
| | | 2 Sand boxes, at \$1 20 do. | 2 40 |
| | 100 | Papers black sand, do. | 6 50 |
| | | 1 Oz. black ink, (quarts) do. | 4 50 |
| | | 6 Red tape, at \$1 00, do. | 6 00 |
| | | 4 Ink powders, at 75 cts., do. | 3 00 |
| | | 1 lb. sealing wax, fine, do. | 1 63 |
| | | 3 lbs. wafers (small) at \$1 25 do. | 3 75 |
| | | $3\frac{1}{2}$ Ozs. red taste, at \$4 00, do. | 14 00 |
| | 5200 | National wafers, for Governor, at \$5 50, do. | 28 60 |
| | | $\frac{1}{2}$ Doz. fluid ink, (quarts) at \$6 00, do. | 3 00 |
| | | $\frac{1}{2}$ Do. do. pints, at \$4 00, do. | 2 00 |
| | | 1 Ream enveloping paper, fine, do. | 5 50 |
| | | 2 Do. folio post, extra, 1 ruled, at \$10, do. | 20 00 |
| | 24 | Do. letter do. $\frac{1}{2}$ ruled, at \$6 00, do. | 144 00 |
| | 24 | Do. fools cap, at \$6 00, do. | 144 00 |
| | | 4 Boxes sperm candles, 115 lbs. at 38s. do. | 43 70 |
| 1839 | | | |
| Oct'er | 3 | 2 Bunches quills, Secretary Hill, | 2 00 |
| | 17 | 1 Card steel pens, Executive office, | 1 00 |
| | 28 | 1 American Almanac, do. | 1 00 |
| | | 8 Sheets post paper, do. | 35 |
| | | 1 Card steel pens, Treasurer's office. | 1 00 |
| | | 1 Do. do. do. | 60 |
| Nov'er | 1 | 1 Blank book, Executive office, | 2 25 |

| | | | | |
|--------|------|------------------------|-------------------------|-------|
| 1839 | | | | |
| Nov. 9 | 1 | Do. Do. | Secretary Hill, | 5 00 |
| 16 | 4 | Sheets Post Paper, | Compt. Office, | 15 |
| | 1 | Bottle Black Ink, | | 25 |
| 26 | 6 | Reams Cap Paper, | Secretary Hill, at \$5, | 30 00 |
| | 1500 | Quills, at \$30 | do do | 45 00 |
| 28 | 1 | Vol. Iredell's Digest, | Executive Office, | 4 50 |
| Dec. 5 | 2 | Quires Cap Paper, | Treasury | 60 |

The foregoing is a true copy of sundry accounts for stationery, paid by the Public Treasurer in 1839 and 1840, embracing other bills contracted in 1838, but not presented for payment, until the beginning of the fiscal year, 1839.

WM. F. COLLINS, *Compt.*

LEGISLATURE OF NORTH CAROLINA,

HOUSE OF COMMONS, JAN. 1, 1841.

REPORT

OF

THE JOINT SELECT COMMITTEE,

ON THE SUBJECT OF

ESTABLISHING A BANK IN THE TOWN OF HENDERSON

The Joint Select Committee on the Memorial of the citizens of the town of Henderson, praying the Legislature to establish a Bank at that place, have had the matter under consideration, and have instructed me to make the following report:

The committee find, that the ports of Richmond and Petersburg, in Virginia, has ever been, and must continue to be, the principal outlet for the Tobacco raised in this State. Before 1804, when banks were first established in Virginia, no Tobacco was allowed to be exported, until it had passed a rigid inspection. When inspected, the owner of such as passed, received a note, which was transferrable on delivery. Their tobacco notes were often paid to the retail merchants, who sold to the exporter, or the planters would themselves sell to the exporter for specie on a credit, at a price much above the current cash price. But since the introduction of Banks, the course of trade in tobacco has undergone a total change. Instead of tobacco notes as formerly, transferrable on delivery, the inspectors are now almost invariably directed to sell the tobacco at public auction for cash, at the time of inspection, and any quality of tobacco is allowed to be exported. The high duty levied in Europe upon our Tobacco, has introduced another change; instead of shipping all in the leaf as formerly, none but the better qualities are now exported in that form; all the inferior are manufactured or stemmed and shipped in the form of strips.

The business of stemming and manufacturing, furnishes profitable employment to a great many hands in Richmond, Petersburg, Lynchburg, Farnville, Danville, and Clarksville, in Virginia, and Banks are established at all of these places to aid their operations.

Henderson Depot being on a Rail Road leading directly to Petersburg and Richmond, and being in the midst of a fine tobacco growing district, offers inducements to stemming and manufacturing, far beyond any thing enjoyed by the three last named towns, and yet, each of these prosecutes the business extensively and profitably. During the year ending on the first day of this month, there has been carried to Henderson, in addition to \$30,000 worth of other articles, two thousand three hundred hogsheads of tobacco, and in the opinion of those best informed on the subject, there will be carried to that place, from three to five thousand hogsheads annually, if proper encouragement be given to it; which at present prices, would be worth from \$180,000 to \$300,000.

These facts seem to prove conclusively, that nothing is wanting but confidence in the continuance of the Rail Road and proper banking facilities, to make Henderson the largest tobacco market in the State, and secure to our own citizens, the profit arising from the stemming and manufacturing of our own crop. To produce results so desirable, the fostering care of the Legislature should not be withheld from a place which promises to become so important to the tobacco growing section of the State.

A branch of one of the existing banks, would supply the present necessity, but neither of these have indicated any disposition to establish one there, it seems incumbent on the Legislature to provide for their wants, by establishing a new bank on safe principles. Much as the committee would deprecate the filling the State with small banks, they nevertheless recommend this, because the commercial interests of that section of the State requires it, and because at no distant day, the extension of that commerce will require and furnish employment for a large banking capital.

They report the following bill to the House, leaving it for the Legislature to say the amount of capital, and whether the bank be authorized to establish branches.

H. L. ROBARDS, *Chairman.*

LEGISLATURE OF NORTH CAROLINA.

HOUSE OF COMMONS, JANUARY 1, 1841.

A BILL

To establish the Tobacco Planters' Bank of Henderson.

I. *Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same,*
That a bank shall be established in the town of Henderson, the capital stock of which shall be dollars, divided into shares of one hundred dollars each, and for the purpose of receiving subscription for the said stocks, books shall be opened on the 8th day of February, one thousand eight hundred and forty-one, and remain open for the space of at the following places and under the superintendence of the following persons, viz:

II. *Be it further enacted,* That one fourth of each share shall be paid in gold or silver or their equivalent, to the Commissioners above named, at the time of subscribing; that another fourth shall be paid in gold or silver, or their equivalent, to the Directors, chosen in the manner hereinafter described, within sixty days after the bank shall have commenced business; and the remainder shall be paid as aforesaid, within nine months after the commencement of its operations. And if any subscriber shall fail to pay any instalment at the time stipulated, he shall pay interest thereon, at the rate of six per cent. per annum, and his stock shall be forfeited, and may be sold by the bank and the proceeds applied to the payment of said deficient instalments, with the interest thereon, and the balance, if any, paid over to said subscriber:

15 *Provided*, That no dividend shall be declared until the whole
 16 amount of stock subscribed, shall be paid in gold or silver, or
 17 their equivalent.

III. *Be it further enacted*, That when shares
 2 are subscribed, and dollars be actually
 3 paid to the commissioners, the subscribers to the said bank,
 4 their successors and assigns, shall be, and are hereby created
 5 and made a corporation and politic in law and in fact, by the
 6 name and style of the "President and Directors of the To-
 7 bacco Planters' Bank of Henderson;" and shall so contin-
 8 ue, until the first day of January, one thousand eight hun-
 9 dred and sixty; and by the name and style aforesaid, they
 10 shall be, and are hereby made able and capable in law, to
 11 have, purchase, receive, possess, enjoy and retain to them-
 12 selves and successors, lands, tenements, rents, hereditaments,
 13 goods, chattels, and effects; and the same to grant, demise,
 14 alien, and dispose of, to sue and be sued, implead and be im-
 15 pleaded, answer and be answered, defend and be defended, in
 16 Courts of Record, or any other place whatsoever; and also to
 17 make, have and use, a common seal, and the same to break,
 18 alter or renew, at their pleasure; and also to ordain, establish
 19 and put in execution, such bye-laws, ordinances and regula-
 20 tions, as shall seem necessary and convenient for the govern-
 21 ment of said corporation; and for the making whereof, gene-
 22 ral meetings of the Stockholders may be called, in manner
 23 hereinafter specified; and generally to do and execute all acts,
 24 matters and things, which a corporation and body politic in
 25 law, may or can, lawfully execute or do, subject to the rules,
 26 regulations, restrictions and provisions, hereafter prescribed
 27 and declared.

IV. *Be it further enacted*, That as soon as
 2 shares shall be taken in the stock of said bank, and the re-
 3 quired instalments paid to the Commissioners, who keep the
 4 books; notice thereof shall be given in the gazettes published at the
 5 city of Raleigh; and a meeting of the subscribers to be held ten
 6 days at least, after the date of the notice, shall be called. If,
 7 at this meeting, those or their agents, who have a majority of
 8 votes, according to the rules hereafter described be present,
 9 (if not, another meeting shall be called,) they shall proceed to
 10 the election of seven Directors, who shall take charge of the
 11 books and money in the hands of the Commissioners; and im-
 12 mediately pursue the usual means to put the bank in opera-

tion. The said Directors shall remain in office until the first Monday in December, one thousand eight hundred and forty one, (1841,) or until their successors shall be appointed; and on the first Monday in December, in each year, or at any time thereafter—meetings of the stockholders shall be held in the town of Henderson, for the purpose of electing directors, inquiring into the affairs of the institution, and making such regulations as may be deemed fit and necessary.

V. *Be it further enacted*, That the bank may go in operation whenever thousand dollars shall have been paid in, and that no dividends on the profits of the bank shall be declared by the President and Directors, until the whole amount of the capital stock subscribed shall be realised to the bank in gold or silver or its equivalent.

VI. *Be it further enacted*, That the following rules, regulations and provisions, shall form and be the fundamental articles of the constitution of the corporation: A meeting of the stockholders cannot be held, unless those who have a majority of the whole number of votes be present; and every act shall require the sanction of a majority of the votes which may be present; every stockholder, holding one share, and not more than two, shall be entitled to one vote; for every two shares above two and not exceeding ten, one vote; for every three shares above ten and not exceeding one hundred, one vote. After the first meeting, no share or shares shall confer a right of voting, which shall not have been holden three calendar months previous to the day of voting. Stockholders may vote at elections, in general meeting, by proxy; the proxy himself being a stockholder. None but a stockholder, who is a citizen of the State, shall be eligible as a director; and the directors, when appointed, shall choose one of their number (which shall always be seven) to be President of said bank, and shall manage the institution as shall seem best to them, unless otherwise directed by the stockholders; but compensation to the President or Directors shall be granted at the pleasure of the stockholders. Not less than five directors, of whom the President shall be one, shall constitute a board for the transaction of business, except in case of absence or sickness of the President, when he may by writing nominate another Director to supply his place. A number of stockholders, not less than ten, who, together, shall be owners of one hundred shares or

28 upwards, shall have power at any time to call a general meet-
 29 ing of the stockholders for purposes relative to the institution,
 30 giving at least twenty days notice in a public gazettee, speci-
 31 fying the object or objects of such meeting. The Directors
 32 shall annually elect a cashier and such other officers as may
 33 be necessary to perform the business of the bank. These of-
 34 ficers shall be required to give bonds, with two or more secu-
 35 rities, in sums not less than _____, with a con-
 36 dition for good behaviour and a faithful discharge of duties.
 37 The cashier shall keep a book to contain the proceedings of
 38 the board of Directors, the names of those present, the date
 39 and day of each meeting, and shall record the yeas and nays,
 40 on any question when asked for by a Director. This book
 41 shall be evidence in Courts of Justice against said bank; and on
 42 entering on discharge of his duties, the Cashier shall take the
 43 following oath or affirmation before some Justice of the
 44 Peace, by whom it shall be deposited, in the office of the
 45 Clerk of the County Court of Granville county, viz. "I, A.
 46 B. do solemnly swear, (or affirm, as the case may be,) to
 47 keep a just and true record, without alterations in, or era-
 48 sures of, the transactions of the board of directors of
 49 the Tobacco Planters' Bank of Henderson in a book
 50 to be kept by me for that purpose." In all cases, in
 51 addition to the usual personal security, the stock of Directors
 52 shall be considered as a pledge for the repayment of the mo-
 53 ney which they may borrow, whether as principal or security.
 54 The said corporation shall purchase and hold only such lands,
 55 tenements, and hereditaments, as shall be requisite for the
 56 convenient transaction of its business, or shall have been *bona*
 57 *fide* mortgaged to it by way of security, or conveyed to it in
 58 satisfaction of debts, previously contracted in course of its deal-
 59 ings, or purchased at sales upon judgments, which shall have
 60 been obtained upon such debts. Neither shall the said corporation
 61 take more than at the rate of six per cent. per annum, for or
 62 upon its loans and discounts; which interest shall be taken in
 63 advance at the time of discount. The total amount of debts
 64 which said corporation shall at any time owe, shall not ex-
 65 ceed twice the amount of the stock actually paid in over and a-
 66 bove the sum then actually deposited in the bank for safe
 67 keeping. If this or any other enactment herein contained be
 68 violated, the Directors knowingly and willingly assenting to
 69 such violation, shall be deemed to have committed a misde-

70 meanor, and upon conviction in the Superior Court shall be
 71 fined or imprisoned or both, at the discretion of the Court.
 72 If a vacancy in the directory shall occur, by death, resigna-
 73 tion, or otherwise, the remaining directors shall fill such va-
 74 cancy, until the succeeding meeting of the stockholders. The
 75 stock of said company shall be assignable and transferrable ac-
 76 cording to the rules which shall be instituted in that behalf by
 77 the laws and ordinances of the same. The officer at the head
 78 of the Treasury Department of the State, shall be furnished
 79 once in six months, with a statement of the amount of capital
 80 stock of said corporation, and of the debts due to the same; of
 81 the moneys deposited therein; of the notes in circulation; and
 82 of the cash in hand; and shall have a right to inspect such gen-
 83 eral accounts in the books of the bank as shall relate, to said
 84 statement:

85 *Provided*, That this shall not be so construed to the right of
 86 inspecting the accounts of any private individual with the
 87 bank, except of directors. The bills obligatory and of cre-
 88 dit, under the seal of said corporation, which shall be made
 89 to any person or persons, shall be assignable, by endorsement
 90 thereon, under the hand or hands of such person or persons
 91 and of his, her or their assignee or assignees; and so as abso-
 92 lutely to transfer and vest the property therein in each and
 93 every assignee or assignees successively, and enable such as-
 94 signee or assignees to bring and maintain an action thereupon,
 95 in his, her or their name or names, and bills or notes, which
 96 may be issued by order of said corporation, signed by the
 97 President and countersigned by the Cashier, promising the
 98 payment of money to any person or persons, his, her or their
 99 order, or to bearer, though not under the seal of said corpo-
 100 ration, shall be binding and obligatory on the same, in the like
 101 manner, and with the like force and effect, as upon any pri-
 102 vate person or persons, that is to say, those which shall be pay-
 103 able to any person or persons, his, her or their order, shall be
 104 assignable by endorsement in like manner, and with like ef-
 105 fect, as foreign bills of exchange now are; and those which
 106 are payable to bearer, shall be negotiable and assignable by
 107 delivery only.

VII. *Be it further enacted*, That no note shall be issued by the
 2 said bank, under the denomination of dollars, and if any
 3 person or persons holding any note or notes of said bank shall
 4 present the same for payment, and the payment shall be refused,

5 the said note or notes shall draw interest at the rate of per
 6 cent. per annum, from the time of said demand, and the said
 7 bank shall pay the same, any law to the contrary notwithstanding;
 8 and the holder of the notes of the said bank, if not paid on
 9 demand, may bring an action of assumpsit against one of the
 10 Directors, who may have consented to issue more than twice the
 11 capital stock paid in: *Provided*, that the bank be not able to pay
 12 the amount.

VIII. *Be it further enacted*, That the Directors shall be allowed to keep open the subscription books until the whole stock shall have been taken.

IX. *Be it further enacted*, That if a Director or any other officer, agent or servant of said corporation, shall embezzle any of the funds belonging to the said bank, with intent to defraud said corporation, or make false entries upon the books of said bank, with intent to defraud said corporation, or any other person whatever, said officer, agent or servant, shall be held and deemed guilty of felony, and upon conviction thereof, by the common law, shall be punished by fine, at the discretion of the Court, and imprisonment not exceeding five years.

X. *Be it further enacted*, That if any person shall falsely make, forge or counterfeit, or cause or procure to be falsely made, forged or counterfeited, or willingly aid or assist in falsely making, forging or counterfeiting, any bill or note in imitation of, or purporting to be a bill or note issued by order of the President and Directors of the Tobacco Planters' Bank of Henderson, or any order or check upon said bank or corporation, or any cashier thereof, or shall falsely alter or cause or procure to be falsely altered, or willingly aid or assist in falsely altering any bill or note issued by order of the said corporation, or any order or check on said bank, or any cashier thereof, or shall pass or receive with intent to pass, utter or publish as true, any false, forged or counterfeited bill or note, purporting to be a bill or note issued by order of the said corporation, or any false, forged or counterfeited order or check upon the said bank, or any cashier thereof, knowing the same to be falsely forged or counterfeited, or shall pass or receive, with intent to pass, or attempt to pass, utter or publish as true, any falsely altered bill or note, issued by order of the said bank, or any falsely altered order or check on said bank, or any cashier thereof, knowing the same to be falsely altered with intention to defraud the said corporation,

22 or any other body politic, or person or persons, every such per-
 23 son shall be deemed guilty of felony, and being thereof convicted
 24 by due course of law, shall be imprisoned not exceeding ten years,
 25 and fined not exceeding thousand dollars.

XI. *Be it further enacted*, That the President or Cashier of the
 2 said bank, shall annually pay into the Treasury of the State,
 3 on each share of said capital stock, which may have been
 4 subscribed for and paid in; and the first payment of said tax, shall
 5 be made twelve months after the said bank shall have commenced
 6 operations.

XII. *Be it further enacted*, That the Directors of the said bank may
 2 declare semi-annually, dividends of the profits thereof; and if at any
 3 time more than the real profits be divided, the Directors assenting
 4 thereto, shall be responsible in their private capacities, to creditors
 5 who have claims against the said institution.

XIII. *Be it further enacted*, That the President of this bank shall,
 2 in the
 3 in each and every year, transmit to the General Assembly, a full
 4 statement of the condition of the bank; exhibiting the amount of cap-
 5 ital; notes in circulation; debt due to other banks, and to what banks;
 6 deposits, and all other particulars necessary to explain the debit side
 7 of the account; also specie on hand; notes of other banks; other funds
 8 specially enumerated; debts due from other banks, and what banks;
 9 bills of exchange; debt on bonds and notes discounted, specifying in
 10 one item the amount due from stockholders, and in another the amount
 11 due from directors, not, however, using any person's name in either
 12 case, and amount of real estate.

XIV. *Be it further enacted*, That if any president, director, cash-
 2 ier, clerk, or other officer of the aforesaid bank, shall knowingly,
 3 willingly, and with intent to deceive, make or caused to be made,
 4 or connive at making, any false return, statement or exhibit of the
 5 condition of the bank, either to the Treasury of the State, to the Leg-
 6 isature, to the board of directors, or to the stockholders, or to any other
 7 person or persons, that may be authorised by the Legislature, or by
 8 the stockholders, to receive the same, such president, director, cash-
 9 ier, clerk, or other officer, and all persons aiding or abetting in such
 10 deception or false return, shall be liable to be indicted as for a mis-
 11 demeanor, in the Superior Courts, and upon conviction, shall be fined
 12 at the discretion of the Court, and imprisoned, not exceeding one
 13 year.

XV. *Be it further enacted*, That whenever the Legislature may be
 2 of opinion that the charter of the corporation hereby granted, shall
 3 have been violated, it may be lawful by joint resolution, to direct the

4 Attorney General, with such assistant counsel as the Governor or Le-
5 gislature may think proper to engage, to issue a writ of *scire facias*,
6 returnable before the Judges of the Supreme Court of the State, call-
7 ing upon said corporation, to show cause why the charter hereby
8 granted shall not be forfeited; subject to the same proceedings as are
9 now prescribed by law, as in cases of other corporations.

XVI. *Be it further enacted*, That in case of an insolvency of the
2 bank hereby created, or ultimate inability on the part of this cor-
3 poration to pay, the individual stockholders shall be liable to credi-
4 tors, in sums equal to the amount of stock by them respectively held
5 in said corporation, at the time when said deficiency shall be ascer-
6 tained, or such ratable proportion thereof, as may be requisite to pay
7 such stockholders deficiency, and no more.

XVII. *Be it further enacted*, That if it shall happen, when the books
2 shall be opened as aforesaid, that a greater sum than
3 dollars shall be subscribed by in-
4 dividuals, or bodies corporate, it shall be lawful for the commission-
5 ers to reduce such subscriptions, according to a scale, by them to be
6 established for that purpose, to the aforesaid sum of

7 : *Provided*, that no subscription
8 of two shares, or under, shall be scaled until all larger subscriptions
9 shall first be reduced to an equality with them.

LEGISLATURE OF NORTH CAROLINA,

IN SENATE, JAN. 2, 1841.

REPORT

OF THE

COMMITTEE ON INTERNAL IMPROVEMENT

ON

NEUSE RIVER.

The committee on Internal Improvements, to whom was referred the resolution enquiring into the expediency and practicability of removing the obstructions of Neuse river, have had the same under consideration, and ask leave to make the following report:

The committee had before them a gentleman who has for several years past been familiar with the navigation of Neuse river; and from him they have learnt the following facts: The principal difficulties to a navigation of the Neuse by steam boats drawing three feet water, for about nine months in the year, arises from sunken logs, there being but few sand bars which present much difficulty. The distance from Newbern to Waynesborough, by the river, is about 140 miles. Most of these obstructions occur between Kinston and Waynesborough, a distance of about sixty miles; and they could be removed, by contract, for 200 dollars per mile. The river would then present an unimpeded navigation during nine months in the year. Most of the heavy articles of produce from the counties of Johnston and Wayne, are now carried down the river, instead of the rail road to Wilmington, which proves conclusively, that water communication is much the cheapest.

From these facts, the committee are of the opinion, that Neuse river ought to be improved by the State. They have not thought it, however, expedient to introduce a bill for that purpose at this session of the Legislature, but they have no hesitation in recommending it, as a work urgently demanding the attention of the Legislature.

W. B. SHEPARD, *Chairman.*

WEST THURSDAY TOWN

LEGISLATURE OF NORTH CAROLINA,

IN SENATE, JAN. 4, 1841.

REPORT

OF THE

JOINT SELECT COMMITTEE

ON THE SUBJECT OF

**UNITING THE LITERARY AND INTERNAL IMPROVEMENT
BOARDS.**

The Joint Select Committee, to whom was referred so much of the Governor's message as relates to the expediency of uniting the Board of Internal Improvement and the Literary Board, have had the same under consideration, and submit the following report :

In order to come to a satisfactory conclusion on the subject, it is deemed necessary to inquire into the organization of the two boards, the property and effects heretofore granted to each, how the same have been managed, and their present condition.

In the year 1825, the Legislature created the board known and styled "The President and Directors of the Literary Fund." The same act transferred to that board, among other things, the dividends arising from the stocks owned by the State in the Cape Fear Navigation Company, also on the stocks owned in the Roanoke Navigation Company, together with the taxes imposed on licence to retail spiritous liquors and auctioneers, and the monies arising from the entries of vacant land. Other stocks were transferred ; but as some of them are included in the funds hereinafter set forth,

and others becoming worthless, a further notice of them is deemed unnecessary.

By the act of the Legislature, passed at the session of 1836-'37, the Literary Board was re-modeled, and the board known and designated by the name and style of "The President and Directors of the Literary Fund of North Carolina," was then created. By the same act, the funds invested by the act of 1825, in the Literary Board, were transferred to the newly created board; and, in addition thereto, the Legislature transferred to the said board, the following property, stocks and effects; to wit: all the swamp lands, which had not been previously granted; one million of the capital stock in the bank of the State and the bank of Cape Fear, also \$600,000, to be invested in the capital stock of the Wilmington and Raleigh Rail Road Company.

At the same session, the Legislature set apart the sum of \$200,000, to be expended in the draining of the swamp lands, and the Literary Board is directed to put to interest *upon short credits*, such part of that sum as should not be wanted for immediate use in draining the lands, and the interest arising therefrom, also to fall into the Literary Fund; also to re-invest the profits arising from its funds to the greatest advantage.

In obedience to the legislative mandate, the Literary Board purchased stock in the Bank of Cape Fear, to the amount of \$32,200; and invested in the bonds of the Raleigh and Gaston Rail Road, the sum of \$140,000; and in the bonds of the Wilmington and Raleigh Rail Road, the sum of \$85,000; and loaned to other corporations and to individuals, the sum of \$155,953 75. The latter sum is secured by about sixty bonds from individuals and corporations.

The committee believe, that the situation of the funds of this board will be better understood, by a recapitulation of its means.

Funds of the Literary Board.

| | |
|--|--------------|
| Stock, Bank of Cape Fear, | \$532,200 00 |
| “ Bank of the State, | 500,000 00 |
| Notes on individuals and corporations, | 155,953 75 |
| Swamp improvement, | 62,829 25 |
| Bonds on Raleigh and Gaston Rail Road Company. | 140,000 00 |
| “ on Wilmington and Raleigh Rail Road Company, | 85,000 00 |
| Stock in Wilmington and Raleigh Rail Road Company, | 600,000 00 |
| “ in Cape Fear Navigation Company, | 37,500 00 |
| “ in Roanoke Navigation Company, | 50,000 00 |

“ cash on hand,

78,007 06

Aggregate amount,

\$2,241,480 05

The above sum of \$2,241,480 05, includes the amount of property and the increase thereof, from 1837, to 1st of November, 1840. The expenses of the board for the same period have been \$3,790 55.

The Board of Internal Improvement was established by an act of the Legislature, passed in 1819, and by that act, the funds arising from the sale of the lands, acquired from the Cherokee Indians, together with the dividends of the stock, owned by the State in the Bank of Cape Fear, were invested in said board.

By the act of 1836-'37, the stock owned by the State in the Bank of Cape Fear, was transferred to the Literary Board; and the surplus revenue, received from the Treasury of the United States, was transferred to the Board of Internal Improvement, deducting from the sum received, the sum of \$300,000, to be applied to the redemption of the public debt of the State; the sum of \$300,000, to be invested in the Stock in the Bank of Cape Fear; the sum of \$200,000, appropriated to the draining of the swamp lands, and the sum of \$100,000, appropriated to meet the expenses and appropriations made at the same session.

The last recited act, directs the Board of Internal Improvement to loan their funds, “until required, ‘upon good security,’ either to individuals or corporations, taking bonds therefor, payable semi-annually; but capable of renewal, should the bonds not direct otherwise, and bearing interest from the date.”

In obedience to the directions of the Legislature, the board have so conducted their funds as to present the following statement :

| | |
|--|------------|
| Bonds for the sale of Cherokee lands, (supposed) | \$5,000 00 |
| Do. sales made in 1836, | 20,608 79 |
| Do. sales made in 1838, | 268,679 44 |
| Bonds on individuals and corporations, | 30,761 52 |

Aggregate amount,

\$325,049 75

The expenses of the board from 1837, to November, 1840, were \$2,156 56. The amount received for the sale of Cherokee lands, is evidenced by about 4,000 bonds, half of which is now due: one fourth due in 1841; the remaining fourth will fall due in 1842.

The amount loaned out by the board to individuals and corporations, is secured by ten bonds.

It is due to the members of both boards, to state, that every

facility has been given to the committee, in examining into that which they conceived to be their duty; and it is due to the Legislature, to state, that the statement of the funds, of each, has been made from reports, submitted to the present Legislature, which the committee believe to be correct.

The Literary Board consists of the Governor and three other members; and the Board of Internal Improvement consists of the Governor and two other members, each of whom are entitled to three dollars per day for attendance and to travelling expenses.

From the statements before made, it has already been shown, that the two boards are directed to put their money to interest upon *short credits*, & upon *semi-annual credits*, & that there are, exclusive of the bonds given for the sale of the Cherokee lands, upwards of seventy bonds due the two boards; that the existing law requires a majority of each board to transact business. The result is, that in some instances, the expense in renewing a loan is greater than the interest received.

The committee beg leave to take another view of the subject, from the report made to the present Legislature, it is probable, that a large portion of the swamp lands will be brought into market during the present year; if so, the labor and expenses of the board, will be increased in proportion to the amount of its funds. A large portion of the lands acquired from the Cherokee Indians, remains yet unsold; when these lands are thrown into market, there will be, necessarily, a larger increase in expenditure.

From the views above stated, it is more a matter of surprise, that the expenses are not greater than that they are so great.

In the opinion of the committee, the whole system is radically defective. Whatever may have been the object, the Legislature had in view, in directing the monies of the two boards to be put to interest, on short credits, the effect is, to convert the Executive branch of the government, into a loan office, and to assign to that department, the performance of ministerial duties, wholly incompatible with the dignity and constitutional functions of a co-ordinate branch of the government.

The committee hope that they may be pardoned for a few observations upon this branch of the subject. It is one they touch with great feelings of delicacy, and intend nothing more than to elicit the attention of the Legislature.

The 4th section of the Declaration of Rights declares, "that the Legislative, Executive, and supreme Judicial powers of government

ought to be forever separate and distinct from each other." By which it is clear, that the Legislature was to pass laws; the Judiciary to interpret and expound them; and the Executive to superintend their execution; and, in order to enable the Executive to fulfil this high duty, the 18th section of the Constitution declares, that the Governor shall be Captain General and Commander in-chief of the Militia.

It is submitted, under this view, whether it was intended that the Executive should perform ministerial duties? If so, who is to superintend him, and compel him to perform his duty? The Legislature cannot, because he can only be impeached for violating any part of the Constitution, mal-administration or corruption. It would then seem, that the strange anomaly is presented of a ministerial officer who cannot be reached by law, for an omission of duty. Again; under the existing law, the Governor appoints, under and with the advice of his Council, the members of the two Boards. Among other powers conferred by the 19th section of the Constitution, is the power to pardon and reprieve. From the very association of the Boards, their acts are joint. Suppose violation, mal-administration or corruption by the members—they have the pardoning power among them, by which they may escape punishment, and set the law at defiance.

But in deference to the opinions of former Legislatures, the committee forbear a further train of reasoning, as to the fundamental question; but they have no hesitation in coming to the conclusion, that the two boards should be united.

From the examination of the subject, the committee are further of opinion, that the dividends, declared in favor of the two boards, and the monies received by them, should cease to be kept by the boards, for the purpose of loaning. They, therefore, recommend that the boards be united; and that the newly organized board, be directed to collect all the monies now due both boards, and to invest the same in permanent funds; and for that purpose, the committee herewith report a bill, the passage of which they recommend.

All of which is respectfully submitted.

JAMES T. MOREHEAD, *Chairman,*

January 2, 1841.

LEGISLATURE OF NORTH CAROLINA.

IN SENATE, JANUARY 4, 1841.

A BILL

To unite the Board of Internal Improvement and the Literary Board, and to amend the 60th, 61st, 66th and 67th chapters of the Revised Statutes.

I. *Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same,* That the funds heretofore appropriated and set apart for the Internal Improvement of the State, by the 60th and 61st chapters of the Revised Statutes, entitled "Internal Improvement," and "an act to aid the Internal Improvement of the State," be, and the same are hereby transferred to the management and control of the President and Directors of the Literary fund of North Carolina, to be held and converted to the same purposes as heretofore appropriated by the said recited acts.

II. *Be it further enacted,* That the President and Directors of the Literary Fund of North Carolina, shall hereafter consist of the Governor, the Public Treasurer, and four other members, to be appointed by the Governor, under and with the advice of the Council; which Board, shall be invested with all the rights heretofore given them by the 66th and 67th chapters of the Revised Statutes, entitled "Literary Fund," and an "act to drain the Swamp Land of this State, and to create a fund for Common Schools," and 60th and 61st chapters of the Revised Statutes, entitled "Internal Improvement," and "an act to aid the Internal Improvement of the State."

III. *Be it further enacted,* That any three members of the board shall constitute a quorum for the transaction of any business, of which, the Governor or Public Treasurer shall be one.

IV. *Be it further enacted,* That it shall be the duty of the said board, to collect all the monies belonging to the said board, which are now due, or which may hereafter become due from individuals or corporations, and invest the same as early as practicable, in the stocks of any of the banks of this State, provided the same can be obtained at a reasonable and fair value. If such investment cannot be made, then the same shall be loaned upon short credits, upon individual responsibility.

V. *Be it further enacted,* That said board shall reserve out of said monies, a sufficient sum to meet the appropriations made by the Legislature, to aid in Common Schools, and for draining the Swamp Lands.

VI. *Be it further enacted*, That it shall be the duty of the Public Treasurer to receive all monies hereafter paid on account of the Literary Fund, or the Internal Improvement Fund, and the monies so received from each source, shall be kept distinct and separate from each other, and from all other funds of the State.

VII. *Be it further enacted*, That each and every act and parts of acts, in relation to the Literary Fund and Internal Improvements, as herein recited, which are not inconsistent with the provisions of this act, are hereby declared to be, and remain in full force and effect.

To unite the Board of Internal Improvement and the Literary Board, and to amend the 60th, 61st, 66th and 67th chapters of the Revised Statutes.

I. Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same, That the funds heretofore appropriated and set apart for the Literary Improvement of the State, by the 60th and 61st chapters of the Revised Statutes, entitled "Internal Improvement," and "an act to aid the Internal Improvement of the State," be, and the same are hereby transferred to the management and control of the President and Directors of the Literary Fund of North Carolina, to be held and converted to the same purposes as heretofore appropriated by the said recited acts.

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REPORT OF THE COMMITTEE ON THE BANKS

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The Joint Select Committee of the Senate and House of Com-
mittees on the subject of the suspension of the Bank of the State, and
of the suspension of the Bank of the State, their operations dis-
rupting business, and when they failed to resume specie payments,
have had the honor to submit to them under consid-
eration, and beg leave to report as to the bank of the State and the
bank of Cape Fear.

Soon after the appointment of your committee, they apprised
the President of "The Bank of the State" of the resolution, and
he immediately offered every facility calculated to aid in the
enquiries submitted to them. The books of the bank, including
the latter book, were laid before the committee, or tendered for
their use, and a room in the bank provided for their accommo-
dation. In the course of the investigation, it was deemed just to
the bank, to hear, through its agent, its excuse for suspending
payment of its liabilities in specie; and for this purpose, a se-
ries of questions relating to that subject, were propounded by the
committee. The answer, in substance, was a reference to the
known and published causes of the day, and to the correspondence

LEGISLATURE OF NORTH CAROLINA,

RALEIGH, JAN. 6, 1841.

REPORT

OF THE

JOINT SELECT COMMITTEE

ON THE

SUSPENSION OF SPECIE PAYMENTS BY THE BANKS.

The Joint Select Committee of the Senate and House of Commons, to whom was referred a resolution to enquire into the causes of the suspension of the Banks of this State; their operations during suspension; and when they intend to resume specie payments, have had the several matters entrusted to them under consideration, and beg leave to report as to the bank of the State and the bank of Cape Fear.

Soon after the appointment of your committee, they apprised the President of "The Bank of the State" of the resolution, and he immediately offered every facility calculated to aid in the enquiries submitted to them. The books of the bank, including the letter book, were laid before the committee, or tendered for their use, and a room in the bank provided for their accommodation. In the course of the investigation, it was deemed just to the bank, to hear, through its head, its excuse for suspending payment of its liabilities in specie; and for this purpose, a series of questions relating to that subject, were propounded by the committee. The answer, in substance, was a reference to the known and published causes of the day, and to the correspondence

of the bank about both of the periods of suspension. In respect to what were the operations during the periods of suspension, your committee were furnished with tabular statements, taken from the books, and comprehending a view of the bank in all its transactions, from the period of its institution, to 21st of November last. To these tabular statements, and the correspondence before mentioned, and also to a short journal of the proceedings in committee, we shall refer as authorities upon which this report is based. The correspondence and tables accompanying it, are, in the opinion of the committee, highly interesting to every citizen who may desire to investigate the conduct of the bank of the State, through a critical and dangerous monetary crisis. It is needless, we presume, to remark, that we did not count the specie in the vaults, nor estimate the bonds, but that the books of the bank formed the furthest point of research by the committee.

What were the causes of the bank suspensions?

There is but one answer for this, and that has been so repeatedly rendered, and so generally acquiesced in, that it is already anticipated. For both suspensions, the same justification is offered, to-wit: *the suspension of the Banks North of us*. The first suspension took place on the 20th May, 1837, and continued till 1st of August, 1838, when the banks resumed, and became specie paying institutions, till 14th October, 1839, when the second suspension occurred, which still continues. It is deemed useless, by your committee, to extend their enquiries, in order to ascertain the causes which produced the suspension of the banks north of us, unless there was some suspicion of that being the result of the mismanagement of our own banks. No one charges that. All admit the entire absence of any agency on the part of our banks, in bringing about that disastrous event. Your committee deem it best to present, distinctively, their views upon the two suspensions, and they will begin with the first:

Could the bank have avoided following the example of the Virginia, and other northern banks? Did it, after the suspension elsewhere, have the means to continue the redemption of her liabilities in specie; and if she had the means, ought she to have continued? When banks which are solvent suspend, it is because the demand for specie has increased. Upon the suspension of all the banks north of us, the demand for coin became very great, inasmuch, that brokers followed the current of suspension, and made every effort to overtake it, that they might obtain the coin

before northern suspensions became known. If the bank had persevered in paying specie, it would soon have been compelled to suspend, unless it might have had in its vaults, in actual coin, a dollar for every dollar of its liabilities. If the bank had possessed such means, the committee are far from thinking that it ought to have paid them out. As, thereby, the circulating medium, consisting of paper, would all have been returned to the bank, and the specie for which it was exchanged, have been removed from the State, leaving the country without either paper or coin. That this would have been the result after the first suspension, is satisfactorily proven by the rate of exchange between New York and Liverpool, which followed that suspension. The notes of the bank, in consequence of its paying specie, would have risen in value over Virginia and South Carolina notes, and been worth a premium; they would have been bought up with bad paper, converted into gold and silver, and both at the same time, would have made their disappearance; the paper going to the recesses of the bank, and the specie to Europe. In the nature of things, however, the best guarded and most solvent banks must suspend, when, by accident, their paper becomes valuable not for the *confidence* which it inspires in the holder, but for the *specie* which it commands. Then it is no longer circulation; its constant tendency is to the place of redemption. All its movements are centripetal, and nothing but suspension can preserve for it the character of circulation. Human wisdom has never devised, and in all probability, never will devise any bank intended for circulation, the very charter of whose existence does not admit the possibility of suspending payment of its debts in coin. This is easily demonstrable. Banks of circulation are required mainly in order to augment the quantity of currency. The quantity, however, could not be increased, but by making more paper than there is specie. The charter of the Bank of the State allows an emission of two for one. Thus the charter itself permits the bank to issue more paper than it can redeem, if returned upon it all at once. Such an event, however, was not supposed likely to occur, and never will, except in case of panic; or when the demand for specie is so great, as to become an object of very profitable speculation, as it was after the first suspension. With the observance of the utmost prudence by the bank, prior to its first suspension, the committee believe that such an event could not have been avoided. But they have not been satisfied to submit only this general reasoning, on this interesting subject; they have considered the condition of this

institution at the time of suspension, as not improperly connecting itself with the cause of such suspension; and from the tabular statement furnished from the books of the bank, and the correspondence herewith reported, they are of opinion that the bank had conducted its operations, not only within its chartered powers, but with an eye of foresight, apprehensive of the approaching embarrassment, and attentively directed to mitigate its severity; and that in the precautions taken to meet the event, as well as in the operations subsequent thereto, the directory manifested a laudable zeal for the public welfare, and did nothing in the pursuit of the private gain of the stockholders, to harrass, unnecessarily, the unfortunate debtors of the institution. Whatever doubts may, at any time, have existed upon these matters, the committee believe will wholly vanish, upon examination of the sources whence they have derived their convictions.

The committee will present some of the many facts, which lead them to thier conclusions.

As early as January, 1839, the bank, apprehensive of great difficulty in the monetary affairs of the country, began to curtail. The debt due to it, disregarding fractions—was, in

| | |
|----------------|----------------|
| January, 1837, | \$4,030,000 00 |
| February, “ | 3,942,000 00 |
| March, “ | 3,934,000 00 |
| April, “ | 3,680,000 00 |
| May, “ | 3,462,000 00 |

In this month, the suspension took place; and the debt, afterwards, was as follows :

| | |
|-------------|----------------|
| June, 1837, | \$3,159,000 00 |
| July, “ | 3,000,000 00 |
| August, “ | 2,982,000 00 |
| Sept’er, “ | 2,984,000 00 |
| October, “ | 2,966,000 00 |

| | |
|-------------|--------------|
| November, “ | 2,964,000 00 |
|-------------|--------------|

| | |
|-------------|--------------|
| December, “ | 3,007,000 00 |
|-------------|--------------|

| | |
|----------------|--------------|
| January, 1838, | 2,947,000 00 |
|----------------|--------------|

| | |
|-------------|--------------|
| February, “ | 2,855,000 00 |
|-------------|--------------|

| | |
|----------|--------------|
| March, “ | 2,787,000 00 |
|----------|--------------|

| | |
|----------|--------------|
| April, “ | 2,632,000 00 |
|----------|--------------|

| | |
|--------|--------------|
| May, “ | 2,453,000 00 |
|--------|--------------|

| | |
|---------|--------------|
| June, “ | 2,443,000 00 |
|---------|--------------|

| | |
|---------|--------------|
| July, “ | 2,393,000 00 |
|---------|--------------|

| | |
|-----------|--------------|
| August, “ | 2,348,000 00 |
|-----------|--------------|

On the first day of this month, the bank resumed specie pay-

ments. By the foregoing statement, it will be perceived, that there was carried on, a general and steady curtailment of debt; and by the tabular statement, it will be seen, that on the day of the first suspension, there were on hand in coin \$492,000; and on the day of resumption, (1st August, 1838,) about \$500,000. The circulation at the former period, was \$1,451,000; at the latter, about \$1,058,000; and during the time, (a period of fifteen months,) the debt due the bank, was curtailed near \$800,000. For the course pursued towards the debtors, by the bank, the committee refer to the whole correspondence, but particularly to the circular addressed by the President, to the Presidents of the Branches and agencies, dated 25 May, 1837; an extract from which, follows: "It is inexpedient, if it was practicable, to prescribe any general or fixed rules in detail, for the attainment of this object. Debtors, will be found to have different degrees of ability; some, more fortunate than others, may be able to pay the whole amount of debt due by them. Others, less fortunate, can only pay a part; while others, still less fortunate, will be able to pay no part of the principal. But it is hoped none will be found so destitute of means, as to be unable to pay the discount or interest on their debts.

"The requirements of your board should be graduated by the known, or probable ability of each debtor. None can reasonably complain of being required to pay what they are able to pay; while it would be oppressive on those who are without means, to require of them to make unreasonable sacrifices to pay their debts. Let each debtor be required to pay what he can, to reduce all notes, at six months, to eighty-eight days; to renew punctually, and to pay on each renewal, as much as he can; at any rate, to pay the interest by way of discount; and on failure to comply with the last requisition, suit must be brought against all who fail to comply with so reasonable a requisition."

Your committee, will here notice a complaint, which has sometimes been made, to wit, that in the curtailment of the debt, partiality was manifested; and that the debtors of the branches and agencies were more heavily burthened in the operation, than the debtors of the principal bank. The correspondence herewith submitted, refutes this charge in the most explicit manner, and proves, beyond doubt, that they have enjoyed, without the consent, however, of the directors, more indulgence than the debtors of the principal bank. (See appendix, circular "to the Presidents

of the branches," 7th October, 1837, and letter to Isaac T. Avery, Esq., agent, &c. Morganton, 2nd February, 1838.)

From the testimony submitted to the committee, both by the President, orally, and by the tabular statement, it appears, that the bank had no great confidence in the continuance of the first resumption of specie payments, and by no means, relaxed its exertion to prepare for what was apprehended—a second suspension. When that event occurred, which was on the 14th October, 1839, the institution was in very near the same condition, as when it resumed specie payments in August, 1838. The only material difference consisting in a diminution of specie of about \$90,000. This could not be easily avoided so long as the institution continued to comply with its engagements to pay specie.

The next inquiry is, whether the second suspension was justifiable? There was not, in the opinion of the committee, so controlling and absolute a necessity for the second as for the first suspension. The New York Banks refused to follow the example of the Philadelphia Banks; and had the Bank of the State declined also, there would not have been so greedy an avidity for its notes, as upon the first suspension. Still, however, it would have been subjected to heavy runs, by the holders of its notes, both by brokers and the banks of the adjoining States. The notes of the bank of the State, would have been collected and used by the banks of Virginia, South Carolina, and Georgia, in order to strengthen themselves, while their notes to this bank, would have been wholly unavailable as specie; so that, in fact, the vaults of our banks would have been emptied to fill the vaults of the banks of adjoining States; and when the day of a general resumption might be proposed, the Bank of the State would have been without means, and so sunk in its resources, as to have been unable to meet the event with ability or confidence. The only way to have prevented this, was to have refused their notes and to call in rapidly, the debt due to the bank, to be paid only in specie, or its own paper.—This would have been attended with the most disastrous consequences; it would have prevented the circulation of their paper within our borders, because it would be dishonored at bank; and it would have prevented the circulation of the paper of this bank out of our borders, because, by the rapid collection of debt, it would have been in great demand at home. As North Carolina trades almost entirely with South Carolina and Virginia, the consequences of this—the only mode left, of self defence, may be

easily imagined by any man, who knows now essential to the prosperity of our agriculture are confidence and reciprocity between the banks of this State and those of the adjoining States, with whom our trade is carried on. In this way, and in this alone, your committee believe specie payments might have been maintained by the bank of the State at the second suspension; a mode by which, the debtor would have been sacrificed; first, by receiving unavailable funds for his produce; and secondly, by being compelled to pay his debt in bank with gold and silver, or its own notes; and every debt thus paid in notes of the bank, would have diminished the currency, and created a general scarcity of money, and, in the end, a general bankruptcy. This mode of preserving specie payments would have been a mere process of winding up the affairs of the bank, destructive not only to its debtors, but sacrificing all stockholders, the State as well as individuals.

The committee are therefore of opinion, that the second suspension was demanded by a proper regard to all the great public interests entrusted to the management of the bank. And they bear their testimony to the same prudence and lenity during the second, as during the first suspension of specie payments. The tabular statement so often referred to, they think, is conclusive on this point. On the second suspension, the debt due the bank was about \$2,850,000; specie, \$412,000; circulation, \$1,166,000. On the 21st Nov. last, the debt was about \$2,550,000; specie, \$411,000; circulation, \$996,000.

The bank is now stronger and better prepared to resume specie payments, than it was on the resumption of August, 1838.

As to the enquiry when the bank will resume the discharge of its obligation in coin? the committee do not doubt that such resumption will take place during the present month; they *cannot* doubt its anxious desire to commence as early as practicable. No permanent resumption can be expected—indeed, no resumption at all by the Bank of the State could have been even hoped for, unless the banks of N. York maintain their specie transactions; and your committee have before them abundant evidence of the disposition of the Bank of the State to facilitate the resumption, in the fact, that it has given to the New York banks all the countenance and aid it could bestow. It is known that on the second suspension, the New York banks endeavored to keep up with its specie obligations, and that, with very powerful efforts, they succeeded. While yet there was doubt on the public mind, of their ability to maintain their position, the bank of State transmitted, in gold, to its corresponding bank in N. York, all

the balance due, being about \$50,000. This was done after the announcement of the second suspension by the bank of the State. The committee perceive in this act, a sincere desire, on the part of the bank, to contribute whatever it properly could, to expedite at the South the early resumption of specie engagements. This desirable event is at all times wholly dependent on the condition of the Northern banks; and at their head, are the banks of New York. The latter may, from their commercial position, stand alone, but with great difficulty, in the payment of specie; but the former cannot even hope to maintain a specie circulation, while the most commercial port of the Union is prostrate in confidence. In further testimony of the uniform disposition of this bank to resume specie payments, your committee will refer to the correspondence, and above all, they will refer to the fact, that from the limited operations of the bank at this time, necessarily preparatory to the event, self-interest strongly prompts to such a course.

An interesting document, furnished by the bank of the State, is herewith submitted. It is a "statement shewing the amount received by the State of North Carolina, from the Bank of the State of N. Carolina, for dividends on stock and tax on individual stock from July 1835, to January, 1841."

Bank of Cape Fear.

In regard to the bank of Cape Fear, the committee have not been able to learn its situation with as much minuteness, as that of the Bank of the State, owing altogether, *as they suppose*, to its distance. Although vested with the ample power of sending for persons and papers, the committee have not deemed it useful, if under such authority they might have done so, to summon to this place, the officers of this bank with their books. If such a course had been necessary to a full investigation of the matters of enquiry submitted to them, yet the committee would not have had time to have pursued it with any satisfaction as to the results. They, therefore, deemed it best, while they were engaged in prosecuting the objects of the resolution in relation to the Bank of the State, to submit to the Bank of Cape Fear, a series of interrogatories, which, if fully answered, were calculated to give complete information upon the several points of inquiry. Within a few days past, a communication has been received from that bank, containing a response to the questions transmitted to it. The maternal portion of the question submitted may be seen in the answer to them. From the communication referred to, it appears that the bank suspended just about the time at which

did the Bank of the State, and for the same causes; and that its resumption was nearly simultaneous with that of that bank. The operations of the Cape Fear Bank, during both periods of suspension; the contraction of its debt; the diminution of its circulation in proportion to its capital paid in; the indulgence of its debtors and its preparation for resumption, appear to have been very similar to the operations of the Bank of the State; and the main difference in the relative condition of each at the time of the first suspension and resumption, consists in this: the actual specie was greater in the Bank of the State, and those foreign funds regarded in banking transactions as the equivalent of specie, of greater amount in the Bank of Cape Fear. This, perhaps, is justly attributable to its greater connection with the transactions of commerce out of the State. Its position is such as to render it desirable, that a large portion of its specie funds shall be at the points of our northern trade. The condition of the bank on the 21st of Nov. last, shows a great increase in actual coin; the amount then being \$358,840, which added to its deposits, and other fund in foreign banks, would almost equal the amount of its circulation, which was then \$968,000. Your committee do not doubt, from the condition of the bank as set forth, in the communication before alluded to, its ability to resume specie payments, and to maintain them, whenever the Philadelphia banks do. One of the operations of both banks during the suspension, that of furnishing exchange, has been inquired into, and the committee think it has been conducted with fairness, and without any oppression. The exchange at times has been high, and therefore onerous on our citizens, but they do not attribute this to the banks. The mere broker, they believe, would have exacted heavier terms. Indeed, the Bank of the State, for some time after the first suspension, drew bills upon New York at par, but finding individuals speculating upon its paper, by presenting the notes of the bank, and demanding exchange upon the north, for the purpose of selling again upon a profit, the bank determined to draw at one per cent. and did so until November 1837. After that time until the second suspension, the rate was 2 per cent. generally, but frequently not more than one and a half. Since the last suspension, for not more than one per cent. when paid for exclusively in the notes of the bank, except, perhaps, in one or two cases, at 2 per cent. The banks now draw upon the north at 3 per cent. During the suspension, so well satisfied have our citizens been of the sufficiency of the causes which drove the banks to the measure, that very few penalties have been exacted for refusal of specie, and at no time has the

public confidence been shaken in the solvency of the institutions. At home, in the ordinary transactions of life, the notes have kept the standard of specie par.

As to the Merchants' Bank, your committee have had neither time nor opportunity to examine its operations.

The Committee cannot, in justice to themselves, close this report without animadverting on the quasi protest of the Directory of the Bank of Cape Fear against what they are pleased to call "inquisitorial powers not warranted by the Charter of incorporation." It is true that the Bank has answered with apparent candour, and in a satisfactory manner, all the questions submitted to it by the Committee; but in making its responses, it has assumed the ground of bestowing a courtesy rather than complying with its chartered obligations.

If, in truth, the Committee in propounding these questions, had passed the bounds of a rigid construction of the Legislature's right to scrutinize its affairs, and for this an apology were needed, they might plead, that they were betrayed into this carelessness by the fact, that the same questions had been previously submitted to the "Bank of the State," and had been answered not only without actual or quasi protest, but with an invitation to the Committee to ask any and all others which they might deem proper. It may be, and probably is so, that by the terms of the respective Charters, the Legislature have reserved a more extensive authority to inspect the books of "the Bank of the State" than those of the "Bank of Cape Fear;" and, unquestionably, it is true that no man whether at the head of a corporation, or as an individual, is bound to respond to any questions whose answers may criminate himself. The enquiry ordered by the Legislature is certainly a proper and constitutional one. That body, therefore, is not in fault. If any one have acted wrong, it must be the Committee, and that wrong must consist in their addressing themselves to an improper source for the information required by the two Houses; but it certainly did never occur to your Committee that at any time, any Bank would deem it a harsh course pursued towards it to ask of the Institution itself, the reasons for declining to pay its notes in Specie, or to ask of it an exhibition of its operations during its suspension; or to ask of it when it would resume its engagements with the holders of its paper.

Many of the interrogatories are such as might have been answered by reference to the annual accounts required by the Charter to be submitted to the Legislature, or the semi annual one,

which the Treasurer has a right to require. A considerable number could not so readily be answered by any as by the Directory of the Bank, and none impute criminality; nor could the Committee surmise that a single one of the questions had even a tendency to inculcate that Directory.

The President, in arguing the subject, enumerates the supervisory powers which are reserved by the Charter, the principal of which are the second and third in his category. "Second: The power to require of the President that he shall, from time to time, make a fair statement to the Legislature of the condition of the Bank. Third: The power authorizing the public Treasurer to inspect the books and accounts of the Institution."

Now as the Bank has rendered its statement, and your Committee did not profess to assume the authority of the Treasurer, it readily follows by this logic that the Committee were wrong in calling for books or answers at the hands of the Bank. The argument proves that your Committee have transcended their powers in asking of the Bank when it first suspended, when it resumed, when it suspended again, and when it is probable it will resume again!! The argument which leads to such a conclusion can never satisfy your Committee. The error of the Directory seems to consist in an opinion that as the Legislature has required the bank to furnish certain accounts from time to time, therefore, that body has no right to institute an inquiry about any other matter appertaining to its operations, not even to ask the question why it suspended. For if it be once conceded that the Legislature have the power to make other inquiries about the bank, the sole question which can arise is, who are the proper witnesses? The exemption therefore, to be availing, must be claimed for the bank and not for the witnesses. Many of the questions relate to the rate of Exchange, and of this the President says, "with no restriction on selling Exchanges, we have kept them as low as the times would permit." If there be, as in truth there is no restriction in the Charter on this subject, upon what ground could the President refuse the answer? Surely not because he is president, unless it be assumed that in a lawful enquiry, the answer to which cannot be criminal, there be citizens who are exempted from interrogation by reason of their offices. If the questions had been asked of J. D. Jones, although at the time president, certainly they had been proper under the power to examine persons, and there could have been no demurrer to answering. Assuredly it bears the mark of nice technicality

when to the same questions asked of J. D. Jones, president, a demurrer may justify silence.

If he had been asked whether, under his administration, the bank had not become indebted beyond its chartered limits, or whether it had not issued more than "twice the amount of its capital stock actually paid in in specie or its equivalent;" or whether dividends had not been declared contrary to the 17th section; or whether the Bank had not traded in violation of the 12th section of its charter? he might and ought to have declined an answer, because the tendency of the questions would be to criminate both himself and the Institution.

The president, in his argument, has denied the right to be questioned *at all*. This unconditional claim might relieve the committee from a re-examination of their questions; but they have overlooked them, and do not perceive *one* that seems, by the fullest response, to lead to the possibility of self-accusation. And if one of such a character had been pointed out, the committee would have withdrawn it.

Your committee, therefore, do not recognize the applicability of the remarks submitted by the bank in opposition to the right of the committee to put such questions as they have propounded, but believe it to be their duty to assert their right to examine any individual, whether officer of the bank or not, as to matters within his cognizance, and which do not tend to criminate him as a man, nor to disfranchise the institution with which he is connected.

Your committee regret the positions in which they and the directory of the Bank of Cape Fear are placed; but they feel happy to know that the difficulty consists, at present, in a mere matter of conflicting opinion. They have not the shade of a doubt that the directory were influenced by a sense of official duty, honorable to them as gentlemen of unblemished integrity; and they would do them wrong—they would wrong the institution whose affairs are entrusted to their management, if your committee did not declare that the directory have answered fully and satisfactorily all the questions propounded; and they repeat, that so far as they can judge, the bank has been well managed, and is worthy of the confidence of the State and individuals. Your committee, therefore, ask to be discharged from further consideration of the resolution referred to them.

B. F. MOORE, *Chairman*.

An Exhibit, showing the Situation of the "Bank of the State of North Carolina" for each half year from September, 1834, to November, 1840, including the suspensions of 1837 and 1839.

| | | Bills and notes Discounted | Bills of Exchange | Due from Banks | Other Bank Notes on hand | Specie. | Capital Stock. | General Profit and Loss. | Trans. U. S. & other public Offices. | Due to Banks. | Pub. Treasurer of N. Carolina. | Dividends unpaid. | Circulation. | Board of Internal Improvement. | Deposits. | Con tingent Fund. |
|------|-----------|----------------------------|-------------------|----------------|--------------------------|------------|----------------|--------------------------|--------------------------------------|---------------|--------------------------------|-------------------|--------------|--------------------------------|------------|-------------------|
| 1834 | Septem. 5 | | | 537,300 65 | 301,599 00 | 28,777 51 | 662,484 62 | 575 13 | | 190,054 58 | | | 5,330 00 | | | |
| | Novem. 29 | 520,920 79 | 185,400 59 | 490,323 06 | 133,272 00 | 117,375 16 | 735,938 69 | 7,328 50 | | 196,680 64 | | | 379,900 00 | | 118,601 46 | |
| 1835 | May 23 | 1,084,567 34 | 184,773 26 | 947,351 81 | 180,841 00 | 167,607 05 | 1,079,565 67 | 28,367 72 | 3,000 00 | 208,957 12 | 33,151 56 | | 953,070 00 | | 270,397 70 | |
| | Novem. 21 | 2,003,030 96 | 328,503 45 | 351,171 97 | 76,072 50 | 301,637 79 | 1,096,600 00 | 54,429 29 | 74,265 11 | 164,078 69 | 53,832 28 | 3,532 00 | 1,259,656 00 | | 341,953 15 | |
| 1836 | May 21 | 2,149,135 32 | 493,157 88 | 379,446 68 | 74,608 00 | 333,692 85 | 1,206,100 00 | 81,391 14 | 123,253 51 | 95,285 80 | 8,072 25 | 3,034 50 | 1,710,805 00 | | 343,941 81 | |
| | Novem. 26 | 3,140,344 90 | 848,501 33 | 84,673 73 | 75,961 00 | 747,630 41 | 1,300,000 00 | 152,471 18 | 727,990 33 | 184,632 87 | 23,643 68 | 3,183 00 | 2,080,923 00 | | 316,430 65 | |
| 1837 | May 20 | 3,462,195 81 | 673,034 13 | 71,307 57 | 80,055 00 | 492,197 89 | 1,500,000 00 | 174,321 17 | 587,090 89 | 145,707 40 | 20,913 33 | 4,312 00 | 1,451,510 00 | | 300,612 24 | |
| | Novem. 25 | 2,545,504 74 | 418,545 33 | 164,681 87 | 27,458 00 | 503,537 22 | 1,500,000 00 | 247,625 33 | 43,242 51 | 277,139 20 | 12,051 98 | 287 75 | 1,200,655 00 | 273,000 00 | 237,879 53 | |
| 1838 | May 26 | 2,092,160 21 | 361,229 60 | 240,717 86 | 89,115 00 | 523,437 96 | 1,500,000 00 | 296,704 85 | 23,648 21 | 74,675 44 | 12,450 03 | 379 75 | 1,029,219 00 | | 200,485 22 | 15,000 00 |
| | Novem. 24 | 1,983,594 40 | 591,619 79 | 139,409 82 | 41,187 00 | 512,772 53 | 1,500,000 00 | 233,746 49 | 25,993 91 | 138,536 50 | 32,169 78 | 1,679 75 | 1,038,918 00 | | 295,273 49 | |
| 1839 | May 25 | 2,023,389 10 | 669,539 20 | 94,086 53 | 60,009 00 | 497,933 98 | 1,500,000 00 | 246,229 20 | 21,911 25 | 71,597 44 | 41,529 63 | 2,397 25 | 1,195,245 00 | | 294,164 09 | |
| | Novem. 23 | 2,102,078 50 | 636,211 54 | 73,157 09 | 43,438 00 | 381,662 87 | 1,500,000 00 | 227,885 69 | 17,539 51 | 123,430 09 | 16,528 28 | 3,292 25 | 1,195,245 00 | | 179,199 12 | 30,000 00 |
| 1840 | May 23 | 2,062,788 05 | 333,045 50 | 234,893 72 | 63,606 00 | 413,771 34 | 1,500,000 00 | 246,930 37 | 16,349 18 | 33,967 73 | 362 56 | 1,322 25 | 1,089,177 00 | | 212,130 95 | 30,000 00 |
| | Novem. 21 | 1,936,297 87 | 891,772 82 | 152,833 11 | 68,039 00 | 411,267 78 | 1,500,000 00 | 223,865 13 | 9,226 53 | 41,146 92 | 50,370 71 | 2,355 25 | 995,788 00 | | 171,237 43 | 9,717 18 |

AN EXHIBIT SHOWING THE SITUATION OF THE "BANK OF THE STATE OF N. C." FOR EACH MONTH, FROM OCTOBER 1839, THE TIME OF THE 2nd SUSPENSION TO NOVEMBER 1840.

| | | | | | | | | | | | | | | | | |
|------|-------------|--------------|------------|------------|-----------|------------|--------------|------------|-----------|------------|-----------|-----------|--------------|--|------------|-----------|
| 1838 | October 26 | 2,151,802 42 | 587,484 20 | 64,140 99 | 41,184 00 | 411,655 54 | 1,500,000 00 | 152,479 20 | 9,679 54 | 161,621 66 | 20,329 56 | 3,362 25 | 1,165,857 00 | | 208,903 92 | 30,000 00 |
| | Novem. 23 | 2,102,078 50 | 636,211 54 | 73,157 09 | 43,438 00 | 381,662 87 | 1,500,000 00 | 227,885 69 | 7,613 01 | 123,430 09 | 16,528 28 | 3,292 25 | 1,195,245 00 | | 179,199 12 | 30,000 00 |
| | Decem. 21 | 2,032,504 11 | 624,291 14 | 98,455 91 | 56,069 00 | 387,281 02 | 1,500,000 00 | 193,169 83 | 6,393 04 | 106,750 92 | 9,971 48 | 46,982 51 | 1,227,133 00 | | 180,193 58 | 30,000 00 |
| 1840 | January 25 | 2,101,062 38 | 592,934 73 | 131,143 87 | 43,948 00 | 393,376 17 | 1,500,000 00 | 207,296 87 | 27,039 50 | 66,995 53 | 8,209 28 | 9,047 25 | 1,264,837 00 | | 230,928 48 | 30,000 00 |
| | February 22 | 2,038,743 40 | 532,433 84 | 260,720 85 | 61,140 00 | 406,809 95 | 1,500,000 00 | 231,013 92 | 26,810 63 | 45,393 59 | 8,414 81 | 3,537 25 | 1,270,911 00 | | 238,936 28 | 30,000 00 |
| | March 21 | 2,037,278 40 | 481,178 47 | 249,625 40 | 60,934 00 | 402,683 53 | 1,500,000 00 | 232,911 57 | 21,511 33 | 64,294 24 | 8,156 56 | 1,770 25 | 1,196,083 00 | | 238,823 57 | 30,000 00 |
| | April 25 | 2,047,915 69 | 402,068 85 | 271,016 96 | 45,178 00 | 405,358 30 | 1,500,000 00 | 246,113 60 | 18,518 48 | 36,155 46 | 4,192 60 | 1,432 25 | 1,181,813 00 | | 251,597 96 | 30,000 00 |
| | May 23 | 2,062,788 05 | 333,045 50 | 234,893 72 | 63,606 00 | 413,771 34 | 1,500,000 00 | 246,930 37 | 16,349 18 | 33,967 73 | 362 56 | 1,322 25 | 1,089,177 00 | | 212,130 95 | 30,000 00 |
| | June 20 | 2,039,370 63 | 316,708 86 | 234,912 32 | 48,243 00 | 408,072 17 | 1,500,000 00 | 182,794 03 | 16,339 18 | 35,792 79 | 1,269 56 | 50,072 25 | 1,034,858 00 | | 215,840 60 | 55,518 73 |
| | July 25 | 1,968,364 72 | 324,006 10 | 234,086 54 | 55,211 00 | 400,328 18 | 1,500,000 00 | 182,366 74 | 13,119 58 | 28,450 71 | 14,394 01 | 12,516 25 | 1,041,680 00 | | 197,706 54 | 34,862 57 |
| | August 22 | 1,941,852 92 | 324,060 73 | 232,573 14 | 60,344 00 | 423,814 72 | 1,500,000 00 | 201,181 02 | 34,673 76 | 32,948 04 | 16,327 51 | 7,191 25 | 1,069,482 00 | | 187,218 90 | 34,862 57 |
| | Septem. 26 | 1,923,927 36 | 328,987 79 | 211,493 42 | 52,750 00 | 411,517 04 | 1,500,000 00 | 214,176 56 | 18,601 49 | 24,321 57 | 40,320 03 | 5,040 25 | 988,252 00 | | 168,210 24 | 9,717 18 |
| | October 24 | 1,939,107 31 | 343,278 75 | 211,866 56 | 47,820 00 | 401,076 04 | 1,500,000 00 | 224,793 68 | 9,974 79 | 37,034 64 | 52,269 31 | 2,499 25 | 1,016,584 00 | | 154,178 91 | 9,717 18 |
| | Novem. 21 | 1,936,297 87 | 891,772 82 | 152,833 11 | 68,039 00 | 411,267 78 | 1,500,000 00 | 223,865 13 | 9,226 53 | 41,146 92 | 50,370 71 | 2,355 25 | 995,788 00 | | 171,237 43 | 9,717 18 |

An Exhibit showing the amount due from Banks not suspended and those suspended to the Bank of the State of North Carolina, and by said Bank to Banks not suspended and those suspended during 2nd suspension.

| | | Due from Bk's not suspended. | Due from Bk's suspended. | Due to Bk's not suspended. | Due to Banks suspended. |
|------|-------------|------------------------------|--------------------------|----------------------------|-------------------------|
| 1839 | October 26 | 2,276 52 | 61,864 47 | 70,619 11 | 91,002 25 |
| | Novem. 23 | 772 23 | 74,364 81 | 59,588 85 | 65,841 24 |
| | Decem. 21 | 2,637 62 | 95,798 29 | 49,010 86 | 57,739 06 |
| 1840 | January 25 | 11,812 47 | 159,331 40 | 9,188 25 | 57,847 50 |
| | February 22 | 16,693 80 | 244,017 05 | 7,002 25 | 38,393 14 |
| | March 21 | 26,134 43 | 225,490 97 | 7,247 50 | 57,016 74 |
| | April 25 | 45,286 90 | 225,780 06 | 5,832 93 | 30,322 51 |
| | May 23 | 64,931 55 | 159,962 17 | 3,265 53 | 22,502 20 |

| Amount | Date | Particulars |
|-----------|-------------|----------------|
| 18,000 00 | 1841 Jan 17 | Do |
| 18,250 00 | 1840 Jan 10 | Do |
| 15,000 00 | 1840 Jan 9 | Do |
| 26,250 00 | 1840 Jan 8 | Do |
| 26,000 00 | 1839 Jan 7 | Do |
| 26,250 00 | 1838 Jan 6 | Do |
| 764 50 | 1837 Oct 5 | State of N. C. |
| 485 50 | 1837 Oct 5 | Agency Fund |
| 16,232 00 | 1837 Oct 5 | State of N. C. |
| 7,768 00 | 1837 Oct 5 | Agency Fund |
| 3,968 25 | 1837 Oct 5 | State of N. C. |
| 3,980 00 | 1837 Oct 5 | Agency Fund |
| 1,200 00 | 1836 Jan 3 | State of N. C. |
| 6,661 00 | 1836 Jan 3 | Agency Fund |
| 750 00 | 1836 Jan 3 | State of N. C. |
| 8,875 00 | 1835 Jan 1 | Agency Fund |

| | | |
|-------|------|----|
| of t | 1830 | 12 |
| but | 1831 | 10 |
| indi | 1832 | 8 |
| in hi | 1833 | 6 |
| man | 1834 | 4 |
| Y. | 1835 | 2 |

to know of the cable to do this are clear the question of judgment and confidence ask to

B. F. MOORE, *Chairman.*

Statement shewing the amount received by the State of North Carolina, from the Bank of the State of North Carolina, for Dividends on Stock, and Tax on Individual Stock, from July, 1835, to January, 1841.

| | Date | No. Div'd | No. of shares | Rate per c't. | Amount. |
|----------------|-----------|-----------|---------------|-----------------|--------------------|
| Literary Fund, | 1835 July | 1 | 1,550 | 2 $\frac{1}{2}$ | 3,875 00 |
| State of N. C. | " " | " | 300 | " | 750 00 |
| Literary Fund, | 1836 Jan. | 2 | 1,666 | 4 $\frac{1}{2}$ | 6,664 00 |
| State of N. C. | " " | " | 300 | " | 1,200 00 |
| Literary Fund, | " July | 3 | 1,840 | 3 $\frac{1}{4}$ | 5,980 00 |
| State of N. C. | " " | " | 1,221 | " | 3,968 25 |
| Literary Fund, | " Dec. | 4 | 1,942 | 4 | 7,768 00 |
| State of N. C. | " " | " | 4,058 | " | 16,232 00 |
| Literary Fund, | 1837 Oct. | 5 | 1,942 | $\frac{1}{4}$ | 485 50 |
| State of N. C. | " " | " | 3,058 | " | 764 50 |
| Literary Fund, | 1838 July | 6 | 5,000 | 5 $\frac{1}{4}$ | 26,250 00 |
| Do. | 1839 Jan. | 7 | 5,000 | 5 | 25,000 00 |
| Do. | " July | 8 | 5,000 | 5 $\frac{1}{4}$ | 26,250 00 |
| Do. | 1840 Jan. | 9 | 5,000 | 3 | 15,000 00 |
| Do. | " July | 10 | 5,000 | 3 $\frac{1}{4}$ | 16,250 00 |
| Do. | 1841 Jan. | 11 | 5,000 | 3 | 15,000 00 |
| | | | | | <hr/> \$171,437 25 |

Tax on Individual Stock 9000 shares.

| | |
|---------------|---------|
| 1835 Sept. 26 | \$2,250 |
| 1836 Sept. 30 | 2,250 |
| 1837 " 30 | 2,250 |
| 1838 " 29 | 2,250 |
| 1839 Oct. 1 | 2,250 |
| 1840 " 19 | 2,250 |

13,500 00

Dollars 184,937 25

The Nett Balance of Profits of the Bank up to the 4th Monday in November, 1840, after having changed off all the *bad* debts, up to the 4th Monday in May last, and setting apart the *Dividend* of 3 per cent., payable 1st Monday in January next, is

\$180,865 15

The State, in the name of the Literary Fund, owns one third of the Capital of the Bank, and is, therefore, entitled to one third of the above nett profits

60,288 38 $\frac{1}{3}$

\$245,225 63 $\frac{1}{3}$

CIRCULAR.

Bank of the State of N. C. }
May 25th., 1837. }

TO THE PRESIDENTS OF THE BRANCHES & AGENCIES:

Dear Sir: You will have seen in the proceedings of the Directors of this Bank in relation to the suspension of Specie payments by the Bank and its Branches, a Resolution for the reduction of the debts due to it as fast as may be consistent with the ability of the debtors and the security of the debts.

The Directors of the Bank are desirous of carrying this Resolution into effect in *good faith*, because of its high importance to the interests of the Institution, and as the best means of preserving the confidence of the public.—They rely on the cordial and effective co-operation of the Board over which you preside, in carrying out their views and fulfilling their pledge.

It is inexpedient, if it was practicable, to prescribe any general or fixed rules in detail for attainment of this object. Debtors will be found to have different degrees of ability; some more fortunate than others, may be able to pay the whole amount of debt due by them; others, less fortunate, can only pay a part, while others, still less fortunate, will be able to pay no part of the principal. But it is hoped none will be found so destitute of means as to be unable to pay the discount or interest on their debts.

The requirements of your Board should be graduated by the known or probable ability of each debtor. None can reasonably complain of being required to pay what they are able to pay, while it would be oppressive on these who are without means to require of them to make unreasonable sacrifices to pay their debts. Let each debtor be required to pay what he can—to reduce all notes at six months to eighty-eight days—to renew punctually, and to pay on each renewal as much as he can, at any rate to pay the interest by way of discount; and on failure to comply with the last requisition, suits must be brought against all who fail to comply with so reasonable a requisition.

In all cases keep the debts well secured, and in case of a change of securities, take care that it be for the better.

This system of operations excludes, (as you will readily perceive) the making of new debts, or increasing the liabilities of the Bank, by increasing the issue of its notes in circulation. Sound policy and good faith impose on us the obligation of retiring our circulation as far as practicable during the temporary suspension of specie payments, that we may be able promptly to unite with those Banking Institutions which shall be the first to resume them.

Yours Respectfully,

DUN. CAMERON, *Pres't.*

CIRCULAR.

Bank of the State of N. C. }
October 7th., 1837. }

TO THE PRESIDENTS OF THE BRANCHES:

Dear Sir: When the monthly general statement of the condition of this Bank, its Branches and Agencies was made up in May last, the circulation of the notes issued was as follows:

| | |
|--------------------------|-------------|
| Notes of Principal Bank, | \$673,790 |
| Do. Branches, | 777,720 |
| | <hr/> |
| | \$1,451,510 |

The circulation of the same from the statement in September was

| | |
|--------------------------|-----------|
| Notes of Principal Bank, | 492,505 |
| Do. Branches, | 785,725 |
| | <hr/> |
| | 1,278,230 |

Shewing a reduction in four months, 173,280

Amount of Notes Principal Bank in circulation in May was, 673,790

Amount of same in September was 492,505

Shewing a reduction of 181,285

Amount of Notes of Branches in circulation in May last was 777,720

Amount of same in September was 785,725

Shewing an increase of 8,005

It appears then from the preceding statement, that from May to September inclusive, the Principal Bank reduced the circulations of its issues the sum of \$181,285, and that the Branches collectively increased the circulation of their issues the sum of \$8,005: the latter sum taken from the former leaves \$173,280, the total reduction before stated.

With reference to the resumption of specie payments at an early day, or not more distant than the month of March next, and to avoid the effects of the general and severe pressure for specie which all the Banks will feel at the commencement of the resumption, it is absolutely necessary that a further and decided reduction in the circulation of our issues should be made.

This must be chiefly by the Branches, as will appear from the following statement.

The capital of the Principal Bank and Agencies is \$700,000. Amount of circulation of notes issued on that is 492,505 being \$207,495 less than the capital.

The capital of the Branches collectively is \$800,000

Amount of circulation of notes issued on that is
being only \$14,275 less than their aggregate capital.

785,725

The Principal Bank and Agencies, with a capital only \$100,000 less than that of the Branches, has a circulation of \$293,220 less than they have. The disproportion is too great, and must be corrected.

The correction must be effected by calling on your debtors for payment, to such an extent, as while it will give you the means of purchasing Bills on the North, will yet enable you to exhibit a decidedly reduced circulation.

I respectfully ask the early action of your Board on this important subject. The welfare of the whole Institution is deeply concerned in it, and its future prosperity and character depend greatly on the faithful and effective co-operation of the Branches in the accomplishment of the end proposed.

Dear Sir,

Yours most Respectfully,

DUN. CAMERON, Pres't.

Bank of the State of N. C. }
February 2nd, 1838. }

ISAAC T. AVERY, Esq., *Agent, &c.* }
Morganton. }

Dear Sir:

I regret much to see that you have not been able to effect a greater reduction of the debt due to your agency, than has been made.

I am satisfied that you have done all you can to effect it; but so little has been done by the debtors, as to afford us but little aid from that quarter.

The necessity of curtailing our debt, yet continues; and especially in that quarter, in which so little has as yet been done.

We would like to increase our specie means by the increased receipt of gold bullion. Cannot your debtors furnish that to a greater amount than they have done?

I should dislike, exceedingly, to put in suit the large amount of debt now due, and lying over at Morganton. The forbearance on our part, in this respect, has not been met by the debtors, in a proper spirit, or by adequate exertions to reduce their debts.

You will please give them to understand, that unless the instalment now required, be paid very shortly, suits, without discrimination, will be brought against all defaulters—and that if suits be brought, no renewals will, under any circumstances, be thereafter allowed. Payment of the whole debt will be required.

Mr. Joseph Henry of Buncombe, owes a debt here of \$4,200, due 18th and 21st November, 1836, on which a payment of \$282, was made Nov. 13th, 1837. The note is in suit in Wake Superior Court. You may discount a note for him for an amount which will cover the debt due here, provided you are satisfied with the security. If you do so, send your check here, so as to transfer the debt to your agency.

Dear sir,

Yours' truly.

DUN. CAMERON, *President.*

CIRCULAR.

BANK OF THE STATE OF N. C. }
 July 19th, 1838. }

To the Presidents of the Branches and Elizabeth City Agency:

Dear Sir: The Directors of this Bank did, on yesterday, *unanimously resolve*, to resume the payment of the liabilities of the principal Bank and branches, severally, in specie, on the 1st August next. It is believed that the Banks in Pennsylvania, Maryland and Virginia, will resume in like manner on that day; entire confidence that they will do so, formed the ground on which the resolution to resume was adopted by this Bank, for itself and its dependencies.

You are acquainted with the general condition of the Bank, as set forth in the comparative statement lately published in the newspapers of this City. I have only to add, that it remains *substantially* the same. The outstanding debt is a little reduced, and the circulation somewhat increased since the date of that statement.

The resumption of specie payments by so many banks at the same time, will probably prevent a *general* demand for specie by the holder of our notes. It is probable, however, that there will be a demand for specie to some extent. Experience can only determine what it may be.

Until the effect of resumption shall be ascertained, it is deemed advisable rather to curtail, than to increase our circulation. At any rate, not to make (for the present) any sensible increase of it, lest thereby an increased demand for specie should be invited, and the ability of the bank and branches be consequently impaired.

The directors here do not deem it expedient to give instructions in detail, as to the management of the business of the branches under the new order of affairs growing out of a resumption of specie payments. They refer that to the discretion of the directors of the branches under the general advisory suggestions herein before made, in full confidence that they will, as heretofore, so administer the affairs of their respective branches, as to preserve their credit, and promote their interest.

Should any of the notes of your branch have been put on final interest on a failure to redeem them in specie on demand, it is recommended to take the earliest opportunity of satisfying such demands, so as to relieve the bank from the charge of interest.

Dear Sir,

Your's respectfully,

DUN. CAMERON, *Pres't.*

BANK OF THE STATE OF N. C. }
 14th October, 1839. }

J. J. Palmer, Esq., President, &c.

Dear Sir: I have this day received your's of the 11th instant. We had heard of the suspension of the banks in Philadelphia, Baltimore, Washington city, and a majority, if not all the banks in Virginia. We deeply regret this occurrence; it is to be deplored for many reasons.

The banks in Virginia have large capitals and extensive circulation; their movements have a decided control over the monied institutions of this State, and we have been compelled, with great reluctance, to fall into the suspension. The measure was not absolutely necessary for this point, of our bank, as our circulation is not more than \$30,000 beyond the coin in our vaults. Some of our branches, however, are not in like good condition, and not well calculated to stand a severe pressure, during a suspension by the banks in Virginia in their immediate neighborhood. In such a state of things, they would have to bear the whole of the burden, which of right should be divided between them and others.

We are duly sensible of the good feeling entertained and manifested by your bank towards this institution; and notwithstanding the suspension by us, if aid in specie is regarded by you as indispensable to enable you to maintain specie payments, we will promptly send a special messenger with specie, (in gold) on being informed of the necessity for so doing.

We should prefer paying interest on balances due you, until extinguished by collections to be made for us during the ensuing winter, to parting with specie, because of the difficulty of replacing it; but we will most cheerfully send it, if *absolutely* necessary to you.

With great regard,

Dear Sir,

Your's truly,

DUN. CAMERON, *Pres't.*

BANK OF CAPE FEAR, }
24th Dec. 1840. }

To M. HOKE, Esq., *Chairman, &c.*

Dear Sir: I have received your letter of the 17th inst., addressed to me as President of the Bank of Cape Fear, accompanied by certain interrogatories, which, as chairman of a joint select committee of the Legislature, you have been directed to propound to me.

Having nothing to conceal, and wishing to conceal nothing as regards the operations of this institution, I have the honor herewith to transmit the answers to your several inquiries, freely given as the organ of our board of directors, and with their approbation and consent.

Intending no disrespect to the Legislature, the committee appointed under its authority, or any individual member of it, you will pardon me for premising, that in the apprehension of your respondent and the directory of this Bank, your committee have assumed inquisitorial powers not warranted by the charter of incorporation, nor reserved to the Legislature at the time of the grant.

Corporations bear the same relation to the Legislature as do individuals, except where, by the charter, they voluntarily submit to certain limitations, restrictions and disabilities. Individuals and associations of individuals unchartered, are, for civil and criminal offences, amenable, not to the Legislature, but to the judicial tribunals of the country; which, though co-ordinate, are declared by the constitution separate, distinct and independent. So corporations, where the power of the Legislature over them is not clearly defined, in the act which gives them being, are subject to the same jurisdiction for illegal acts.

The Legislature certainly have a right, at the time of passing an act of this kind, to impose upon it any restrictions or limitations they may think proper. So may the grantees receive or reject it at pleasure. If the privileges be greater than the disabilities, they will receive it. If not, they will of course decline it.

In looking into the several acts relating to the Bank of Cape Fear, I find that the powers reserved to the Legislature are.

1st. The power to appoint four directors to look to their interests.
2nd. The power to require of the President that he shall, from time to time, make a fair statement to the Legislature of the condition of the Bank.

3rd. The power authorising the Public Treasurer to inspect the books and accounts of the institution.

4th. The power of appointing a representative to attend to their concerns in a general meeting of the stockholders. Here the supervisory authority of the State ceases. As a stockholder, she may be heard at our general meetings, like other partners of the concern. Her inquisitorial rights may be exercised so far as she has made a reservation to herself in the charter; but no further.

If, therefore, this matter resolved itself into a question of right and obligation, that is to say, the right of the committee to question, and the obligation of your respondent to answer, without any disrespect or violation of duty, it might be properly declined. But, having nothing that we wish concealed, your questions have been unreluctantly answered.

Not intending this as a formal protest against the proceedings of the committee, we desire it nevertheless, to have this force and effect, viz: that, by awakening the attention of the committee, we may mutually come to a better understanding of the respective rights of the parties.

However well disposed the present Legislature or your very respectable committee may be to award us justice, yet a silent submission to a precedent of this kind, might furnish food for future malevolence.

Believing, therefore, as your respondent does on this occasion, he should feel recreant to his trust, did he not give utterance to his opinions; which, I assure you, is done in perfect good feeling, and with all deference and respect.

And further: It may not have occurred to your committee, that if your enquiries be set on foot for the purpose of instituting some future judicial process against us, you are requiring us, by furnishing answers to leading questions, to convict ourselves in anticipation. The humblest individual and the vilest criminal, are protected by our laws from testifying against themselves.

Very respectfully,

J. D. JONES, *Pres't.*

Answers returned by the President of the Bank of Cape Fear, to questions proposed to him by a Joint Select Committee of the Legislature of North Carolina, at their session 1840.

Ques. 1. How often has your Bank suspended specie payments within the last four years?

Ans. Twice.

Ques. 2. When did you first suspend?

Ans. 22d May, 1837, after, as we believed, every other Bank in the Union had suspended.

Ques. 3. Why?

Ans. Because we knew it to be impracticable, without ruin to our dealers, to sustain specie payments under such a state of things, inasmuch as our notes would be sought for in every quarter of the country, and returned upon us.

Ques. 4. What was the amount of your notes in circulation, and your debts to depositors at that time?

Ans. Our notes in circulation at that time were \$846,278; and our debt to depositors was \$308,961.

Ques. 5. What amount of specie had you at that time on hand?

Ans. The amount of coin in the vaults \$165,606.

Ques. 6. Answered, being a repetition of question 4th.

Ques. 7. How long did your Bank remain suspended the first time?

Ans. We resumed specie payments 26th July, 1838.

Ques. 8. What amount of funds did you have at your first suspension, in New York & New England Banks, Philadelphia, Baltimore, in the Virginia and Charleston Banks; and at other places out of the State?

Ans. \$500,204. We also held notes of other banks to the amount of \$154,544, deemed, prior to the suspension, equivalent to specie—the capital of this bank then subscribed and paid in, being \$1,147,560.

Ques. 9. Already answered, being a repetition of ques. 4 and 6.

Ques. 10. Already answered, being a repetition of ques. 7.

Ques. 11. What were its operations during said suspension, viz. its monthly operations?

Ans. The discounted debt due the bank at the following monthly periods during the suspension, was as follows, viz:

| | | | |
|----------------|-------------|------------|-----------|
| 1837. June 1st | \$1,425,836 | 1838. Jan. | 1,437,056 |
| July | 1,421,688 | Feb. | 1,445,543 |
| Aug. | 1,385,205 | Mar. | 1,485,349 |
| Sep. | 1,366,200 | Apl. | 1,524,888 |

| | | | |
|------|-----------|------|-----------|
| Oct. | 1,404,517 | May | 1,588,428 |
| Nov. | 1,396,656 | June | 1,693,402 |
| Dec. | 1,432,041 | July | 1,642,593 |

The increased amount of discounted debt in the year 1838, arose from the increase of new stock paid in, which in July, made the amount of stock paid in \$1,373,350.

Ques. 12. What amount of specie had your bank when it resumed?

Ans. We had in specie funds, coin \$175,184; deposits in banks out of the State, \$409,450; notes of other banks on hand, and due by banks in N. C. \$186,154.—(\$770,788.)

Ques. 13. What were its debts and credits, and where?

Ans. The following statement of the condition of the bank on the 16th July, 1838, shows its debts and credits at the time of resuming specie payments:

| | | | |
|----------------------------|--------------------|-----------------------------|--------------------|
| Capital Stock | 800,000 | Specie | 175,184 |
| Increased Capital | 573,350 | Deposites in foreign banks | 409,450 |
| Circulation | 914,530 | Notes of other bks. on hand | 59,642 |
| Deposites | 166,714 | Due by banks in N. C. | 126,512 |
| Due to bks. & div'ds. u'pd | 20,173 | Real Estate | 85,857 |
| Profit and Loss | 43,371 | Debt | 1,661,493 |
| | <u>\$2,518,138</u> | | <u>\$2,518,138</u> |

Ques. 14. When did your bank suspend the second time?

Ans. On the 15th day of October, 1839, this bank again suspended specie payments, because the banks of Pennsylvania, Maryland, Virginia, and most of the banks of South Carolina had suspended, and no doubt existed that all the banks south and west of North Carolina would necessarily do so.

The amount of notes of this bank then in circulation, was \$911,253. The amount of debt due depositors, was \$269,130, and debts to other banks, \$49,069.

The amount of debt due this bank at that period, by individuals, was \$2,057,758, and the amount of specie fund on hand was \$570,777. The suspension of specie payments has continued to this time. The operations of the bank since its suspension, in October 1839, to this date, have been as follows, viz:

| | | | | |
|-----------|---------------|-------------|------|-------------|
| 1839 Nov. | Amt. of debt. | \$2,030,811 | | |
| Dec. | | 1,987,281 | | |
| 1840 Jan. | | 1,908,475 | | |
| Feb. | | | July | \$1,747,267 |
| Mch. | | 1,875,491 | Aug. | 1,730,112 |

| | | | |
|------|-----------|-------|-----------|
| Apl. | 1,835,246 | Sept. | 1,726,392 |
| May | 1,794,309 | Oct. | 1,748,985 |
| June | 1,774,028 | Nov. | 1,755,827 |

Since the suspension in Oct. 1839, the capital of this bank has been increased \$81,900. The last statement of its condition shows:

| | | | |
|----------------------|--------------------|---|------------------|
| Capital Stock | \$1,500,000 | Specie, including \$68,806, in transitu | \$358,840 |
| Notes in Circulation | 968,982 | Deposites in foreign banks | 457,560 |
| Due depositors | 214,348 | Notes of foreign banks on hand | 107,161 |
| Dividends unpaid | 1,631 | Notes of N. C. banks on hand | 38,990 |
| Due to banks | 49,217 | Due by banks in N. C. | 41,207 |
| Profit and Loss | 65,395 | Bills of exchange in suit | 10,010 |
| | | Debt (notes discounted) | 1,734,275 |
| | <u>\$2,798,673</u> | | <u>2,798,673</u> |

Ques. 15. When in a state of suspension, do you make new loans?

Ans. Very sparingly, as the reduction of the debt will show.

Ques. 16. If so, what are the terms of them?

Ans. The same as before suspension, generally exacting $\frac{1}{4}$ th every 90 days.

Ques. 17. What effect did your suspension have on the value of your notes?

Ans. In consequence of the general suspension of the banks, specie has been appreciated from 2 to 4 per cent.

Ques. 18 & 19. Did you, when suspended, issue your notes at places where they were not payable. If so, why?

Ans. All the issues of this bank, until very recently, have been payable at the principal bank; notes are now being sent to the branches where they are made payable, to be there issued. Few are yet in circulation: the plan not yet fairly in operation.

Ques. 20. At what rate did you sell exchanges at places out of the State, viz: New York, Philadelphia, Baltimore, Boston and Charleston?

Ans. We have sold no exchanges at any place out of the State, but have sold exchange on New York, Boston, Charleston, Philadelphia and Baltimore, from 1 to 4 per cent

Ques. 21. What does it cost you to get specie from New York to Wilmington?

Ques. 22. What is the cost of insurance?

Ans. to 21 & 22. One per cent.; the cost of insurance being from $\frac{1}{4}$ to $\frac{3}{4}$ per cent.

Ques. 23 & 24. When selling exchange, did you at any time make a difference when paid in specie and when paid in your own notes, payable at your own counter, and notes of your bank, payable at other places? And if so, why?

Ans. This bank has never made any difference between its own notes. Heretofore, they have all been payable at the mother bank, but have been frequently redeemed at the branches and agencies.

In selling exchange, a difference has sometimes been made when paid for in specie, and for this reason, when specie payments were suspended, a resolution of the directors was passed to convert the funds of the bank then in New York and Boston into coin, and have them transferred to the vaults. When, therefore, these funds could be sold for specie, it was done at a rate lower than it would have been for our own notes. None of these funds were sold except for specie, until we accumulated as much specie fund as we deemed necessary.

Ques. 25. What bank notes do you take in general deposite when in a state of general suspension?

Ans. As a general rule, we have received in deposite, the notes of all banks in the Atlantic States, north of Georgia, which were in good credit.

Ques. 26 & 27. When selling exchange on New York, did you at any time during suspension, make a difference in premium, when paid in the notes of your own Bank and notes of Banks which you receive on deposite? If so, why?

Ans. We never made any difference, within my recollection.

Ques. 28. Is not the price of exchange always raised much above the cost of transportation of specie and its insurance, between a point where specie payments are maintained, and one where they are suspended?

Ans. (See answers to questions 31, 32, 34, which embrace this.)

Ques. 29. When a holder of your notes has applied for New York funds, what is the highest premium you have charged, when suspended?

Ans. Having purchased as high as 2 per cent., we did sell for a short period some small amounts as high as 4 per cent.—the usual price being 3 per cent.

Ques. 30. What would you have charged at the same time, if paid for in specie?

Ans. The action of the Bank would have depended on circumstances. If coin had been wanted, it might have made a difference of from 1 to 2 per cent. If not needed, it would have made no difference.

Ques. 31 and 32. When suspended, have you at any time bought checks or drafts on any unsuspended district? What did you give for them, and with what did you pay?

Ans. The Bank has, during suspension of specie payments, bought checks (at sight) on places where specie payments were not suspended, and paid for them in their own notes, at 2 per cent. premium, and have purchased drafts at 60 days at par, losing the 60 days interest, and incurring the hazard of solvency.

Ques 33. What would you have given for them at the same time, and paid in specie?

Ans. We would not have purchased and paid in specie.

Ques. 34. What were you selling checks for on New York at that time?

Ans. 3 per cent. generally.

Ques. 35. When suspended, do you ever extend your business?

Ans. No—we have contracted it.

Ques. 36. What criterion of action have you?

Ans. The question is somewhat ambiguous. If you mean our rule of conduct, it has been to keep within our chartered privileges—to take care of the interests confided to our charge, with a strict regard to justice—avoiding, at the same time, every species of oppression and unfair dealing, and to be satisfied with moderate profits. Hence, with an increased capital, we have contracted our business—with every temptation to increase our debt, we have reduced it \$274,948—with the privilege of a circulation of three millions, we have less than one million—with no restriction on selling exchanges, we have kept them as low as the times would permit.

Ques. 37. When in a state of suspension, do you grant greater or longer indulgence than when you are paying your own notes.

Ans. Nominally, we have extended only the same indulgence;—practically, greater indulgence has been extended.

Ques. 38 & 39. When in a state of suspension, you make a new loan and pay out your own notes. If the debtor pays back in specie do you allow him a premium? If so, what?

Ans. Such a contingency has never occurred, and in the common course of business never will, because the holder can buy our notes out of doors for specie, whenever they are worth less than specie.

Ques. 40 & 41. Is your Bank preparing to resume? If so, when do you intend to do so?

Ans. We have been preparing to resume ever since we suspended specie payments. We are now ready to resume whenever there is a general resumption by the Banks North of us.

Ques. 42. Will she ever resume unless the Banks North of her do so?

Ans. Yes.

Ques. 43. Why does their inability to pay their debts prevent your doing so?

Ans. Their inability to pay specie does not actually destroy our ability to do so, but is a great impediment, and would be highly injurious to the dealers of the Bank, and produce a total loss of profits to the Stockholder—the State owning more than one-third of the capital.

These consequences would result, because we have large amounts deposited in the Banks of Virginia, Maryland and Pennsylvania, which could not be converted into specie but at a heavy loss—because we have a large circulation of notes in Virginia, which would be daily returning upon us for specie—and because, in consequence of these results, the debts of this Bank would necessarily be so contracted as to destroy the usefulness of the institution and its profits.

Ques. 44. If you neither pay your note holders or depositors, why is your specie held?

Ans. Because, if we paid out our specie it would be (chiefly) to Brokers and suspended Banks without benefit to the community; and because we hold it as a basis of resumption under any circumstances as soon as practicable.

Ques. 45 & 46. Do you offer to pay any thing when a demand is made? If so, what?

Ans. We are willing, (and 'tis so understood by the community,) to pay all demands on us in exchange at the current rate. The Charter prescribes the penalty for refusal to pay specie.

Very Respectfully,

J. D. JONES,

President Bank of Cape Fear.

LEGISLATURE OF NORTH CAROLINA,

RALEIGH, JAN. 5, 1841.

REPORT

OF

THE JOINT SELECT COMMITTEE

TO WHICH WAS REFERRED SO MUCH OF THE GOVERNOR'S
MESSAGE AS RELATES TO A UNITED STATES BANK,

AND

TO AN INCREASE OF OUR BANKING CAPITAL.

The Joint Select Committee, to which was referred "so much of the Governor's Message as relates to a Bank of the United States, and to an increase of our banking capital," have had the same under consideration, and a *majority* of said committee have directed me to report,

That your committee have bestowed upon the subjects referred to them, that attention and reflection demanded, as well by the high source whence they emanated, as by their own intrinsic importance.

For many years, public attention has been directed to a Bank of the United States. The constitutionality and utility of such an institution, have been discussed in every part of the Union, and there are perhaps no questions upon which public opinion is more fully formed. Whether Congress can constitutionally charter a Bank of the United States, is a proposition which your committee will not attempt to establish. If any political question can be regarded as settled, this is surely one. If any weight of authority is to be attached to the opinion of him who presided over the convention which formed the constitution, and to the opinions

of his compeers who assisted in its formation, we have it upon this question in a manner which cannot be mistaken. If there is any wisdom in regarding judicial decisions as the laws of the land, this question ought to be at rest, since its constitutionality has been established by the highest judicial tribunal known to our system of government, and by the brightest ornament which ever adorned that tribunal : since it has been acquiesced in for so long a series of years, during which period the country has advanced with such rapid strides to the acquisition of wealth and power.

The expediency of establishing an institution of this character, can be best decided by a reference to the lights of experience. These, in the opinion of your committee, plainly indicate that our true interests require the existence of such an institution. The late Bank of the United States grew out of the necessities of the country, at a period of great distress, and answered every purpose promised by its most sanguine friends, or anticipated by the public. It performed the duties of a fiscal agent of the General Government, with perfect fidelity. It regulated the exchanges of the country better than any other institution or set of institutions regulated them before or since, and it afforded to the people a currency equal in value to gold and silver, wherever it found its way. It held in check those State Institutions, which, when free from control, are so apt to expand their issues to such an extent, as to destroy their own strength, depreciate the value of their paper, and stimulate the country by the redundancy of paper money, to the most extravagant and ruinous speculations. The Bank of America, which was chartered so soon after the adoption of the Federal constitution, exercised the same beneficial influence, and produced the same happy results.

Your committee do not think that any combination of State Banks can be formed, which will supply the place of a United States Bank. Harmony and concert of action seldom exist between them. Their sphere of action is circumscribed and limited. The desire of gain, impels them to extend their liabilities beyond their ability to pay. By their expansions and contractions, every branch of industry is affected, and subject to fluctuations. They cannot act as fiscal agents, nor as regulators of exchange, except in their own separate spheres, nor can there be any uniformity of action. They are so many independent institutions, capable of conferring numerous benefits upon the country, when properly controlled ; but without a regulator, prone to involve themselves and the people in difficulties. They are not only unable to supply the place of a United States bank, but they need an institution of this kind to keep them within proper bounds, and enable them to discharge their proper functions.

The *time* when it would be proper to create a national bank, is a question of no little importance. The power of such an institution to do

good depends much upon its possessing public confidence; and none such ought to be established until the people are convinced that the public good requires it. That period, your committee think, has arrived; and recent expressions of the popular will clearly indicate that a large majority of the people of the United States desire a national bank.

It is, however, a delicate operation to withdraw from its usual mode of employment, in the various departments of trade, so large an amount of capital as a Bank of the United States must necessarily possess to answer the purposes of its creation, and invest it in a new channel. Such changes of the mode of employing capital, are often attended with the most ruinous consequences to every branch of industry. These are matters which peculiarly belong to Congress, and ought to be left exclusively to their discretion.

Your committee have therefore directed me to report the accompanying resolutions, and recommend their adoption.

That part of the Message of the Governor which relates to an increase of our Banking capital, recommends an increase upon certain conditions. He proposes that the capital of the Bank of the State and the Bank of Cape Fear shall each be increased one million of dollars, and that the State shall subscribe the amount of bonds she holds, which bonds shall be handed over to said Banks in equal proportions, in payment of said subscriptions, upon condition that the banks will loan to each of our Rail Roads three or four hundred thousand dollars. Your committee think it inexpedient to carry into effect this recommendation. Your committee are not aware that those banks desire that their capitals should be enlarged. It is certain they have not employed that which they already have. And although it is of the greatest importance to the cause of internal improvement in our State, as well as to the character of our State, that our Rail Roads should be sustained, it is very doubtful whether the connection between them and the banks in the manner proposed would be be beneficial to either.

Respectfully submitted,

J. G. BYNUM, Chairman.

LEGISLATURE OF NORTH CAROLINA,

RALEIGH, JAN. 5, 1841.

RESOLUTIONS

Concerning a National Bank.

I. *Resolved*, That Congress has the constitutional power to charter a
2 National Bank, as a fiscal agent of the Federal Government, and a regu-
3 lator of the exchanges of the country.

II. *Resolved*, That it is the duty of Congress to establish such an insti-
2 tution with a moderate capital; but as the time of creating the same may be
3 highly material, it is deemed proper to submit that time to the wisdom of
4 Congress.

III. *Resolved*, That his Excellency, the Governor be requested to trans-
2 mit a copy of the foregoing resolutions to each of our Senators and Re-
3 presenatives in Congress.

